



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, WEDNESDAY, SEPTEMBER 23, 2009

No. 135

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HOLDEN).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 23, 2009.

I hereby appoint the Honorable TIM HOLDEN to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Rev. Dr. Martha Taylor, Elmhurst Presbyterian Church, Oakland, California, offered the following prayer:

Almighty and everlasting God, the Creator of the universe, the heavens, the Moon and the stars are Your work. You laid the foundation of this Earth. We pause in the midst of pressing demands to open our hearts and minds to hear from You.

Bless this Nation. Bless our President and each Representative of the people whom they represent and all that labor with them.

Help us not to forget the timeless principles penned by our Founding Fathers: that men and women are created equal, that we are endowed by You, our Creator, with certain inalienable rights, that among these are life, liberty and the pursuit of happiness.

Prick our heart to make decisions that embrace these principles. Let the peace of God rule in our hearts. We pray this prayer in the name of the Most High.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Montana (Mr. REHBERG) come forward and lead the House in the Pledge of Allegiance.

Mr. REHBERG led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

MAKING SURE SMALL BUSINESS THRIVES AND EXPANDS

(Mr. WILSON of Ohio asked and was given permission to address the House for 1 minute.)

Mr. WILSON of Ohio. Mr. Speaker, I come to the floor this morning to dispel a misleading rumor I recently heard about small business and health care reform.

Some are saying that, by requiring employers to offer health insurance for their employees or to opt out, we are going to crush small business. As a small business owner for over 40 years, I can assure you, Mr. Speaker, that this reform will not cost us jobs in small business.

Under our current system, there is no requirement for employers to offer insurance. Yet 99 percent of large firms do offer and nearly 65 percent of small firms offer insurance to their employees. For the firms already offering cov-

erage, health care reform will bring much-needed competition and affordability to the insurance market. In addition, the smallest firms will be exempt. Finally, a 50 percent credit will be available to help pay premiums for the small businesses' insurance expenses.

In Ohio's Sixth Congressional District, which I serve, over 11,000 small businesses will receive credits to help cover their employees. As we continue to work on health care reform, I am committed to making sure small business continues to thrive and expand.

AMERICANS DESERVE BETTER

(Mr. REHBERG asked and was given permission to address the House for 1 minute.)

Mr. REHBERG. Mr. Speaker, in Montana, we often say there are only two seasons: winter and construction.

This August, at the peak of the construction season, I drove almost 3,500 miles around Montana, having listening sessions.

While it's not strange to see road construction in Montana in August, signs telling drivers that the funds for the construction came from the so-called "stimulus" were new. These signs provide no jobs or long-term investment in our economy. Instead, they represent the worst kind of political credit-taking.

What's more, the signs are wrong. The dollars Congress allocates come from taxpayers. In this case, it would have been more accurate to say: "A project funded by our children and grandchildren." There are better ways to fund and to spend millions of dollars.

Last week, the Senate had a chance to stop wasting money on these signs, but failed to do so. We can do better in the House, and we must because Americans deserve better.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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HEALTH CARE

(Mr. OLVER asked and was given permission to address the House for 1 minute.)

Mr. OLVER. Mr. Speaker, economic recovery requires not only solving the employment and housing crises but the health care crisis as well.

In this decade, the premiums charged by private health insurance companies have risen more than 75 percent while workers' wages have risen less than 25 percent. Meanwhile, the profits of the 10 largest health insurers have risen by 400 percent, and the salaries of their CEOs have tripled.

America now has 50 percent higher health care costs than the highest of the next 20 most industrialized nations. Yet Americans suffer shorter life expectancies and higher infant mortalities than any of those nations. Fifty million American citizens who cannot afford basic health insurance receive crisis care in the most expensive way possible: in emergency rooms for which the rest of Americans pay. The uninsured fail to receive the preventative care they need, and the insured shoulder the enormous long-term costs in both lives and dollars of preventable diabetes, heart disease, and cancer.

There is something morally and fiscally wrong with this picture. Wake up, America. We need health care reform now.

SUPPORT OUR TROOPS IN AFGHANISTAN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, yesterday's Washington Post editorial was correct when they stated that President Obama's goals in Afghanistan, as he outlined in March, were essential to preventing another attack on the United States by al Qaeda and its extremist allies. Indeed, there is much at stake in Afghanistan in establishing security and stability throughout the region. President Obama's original strategy is vital to ensuring that terrorist organizations do not reestablish safe havens or return the Taliban to power.

Our military commanders and troops on the ground are doing extraordinary work. We need to ensure they have the resources to complete their mission: to defeat the terrorists and to help provide, as President Obama mentioned in March, stability in the region.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

HEALTH INSURANCE REFORM
DAILY MYTHBUSTER: IMPACT ON SENIORS

(Mr. CARNAHAN asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. CARNAHAN. Mr. Speaker, I rise to address seniors in this country about many myths that have been perpetrated about current health care reform.

The fact is that health care reform in this House, which we've talked about, simply provides Medicare reimbursement to doctors who spend time with their patients who wish to speak to their doctors about their values and their preferences with regard to end-of-life-care decisions. It empowers older Americans who want to have their wishes observed.

The other myth we've heard about is rationed care. The fact is nothing will stand between you and your doctor or will prevent you from making the best health care decisions, and if you're enrolled in Medicare, it will improve the level of care you can get.

With regard to a so-called "government takeover" of health care, this bill would build on the system of private health care in this country. The CBO said it will actually expand coverage under private care by 16 million and that only about 3 percent of Americans would choose to enroll in a new public health care plan.

Also, with regard to Medicare, we are going to have savings from overpayments to Medicare Advantage plans of \$150 billion, which will help improve the stability of Medicare.

Mr. Speaker, we need to pass this now and get on with the serious business of health care reform for our seniors.

REMOVE THE CMS GAG ORDER

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Mr. Speaker, it was recently reported that the Centers for Medicare and Medicaid Services has issued a gag order on private insurance companies to prevent them from providing information to their beneficiaries regarding the administration's proposed cuts to Medicare Advantage and how the Democrat health reform could take away their current coverage.

The CBO, by the way, agrees with this. That is a fact that coverage is being taken away.

However, the one entity not being affected by this gag order is the AARP, which has been a prime advocate of the Democrats' government takeover of health care. Even as AARP advocates for cutting Medicare Advantage plans by more than \$150 billion, an analysis of the organization's operation reveals that it stands to receive tens of millions of dollars at the expense of seniors' medical care. Under the Democrats' plan, seniors are going to have to fund kickbacks to AARP-sponsored plans, and there isn't a single provision attempting to impose any new restrictions on AARP policies.

Did CMS somehow forget to include AARP among the organizations whose First Amendment rights to inform seniors of harmful Medicare provisions were restricted, or did the administration only wish to silence its critics?

HEALTH CARE

(Mr. PASCRELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PASCRELL. Mr. Speaker, 2 weeks ago when the President addressed the Nation from this very Chamber, my Republican colleagues made a big show of waving their plans for the health reform and of waving them all over the floor, five bills and particularly a specific bill.

Unfortunately, just as I hope all of us read our bill, I hope all of you read your own bills. The plans that have been bandied about by my Republican friends lack any commitment to guaranteeing affordable, quality health care for all Americans.

The truth about the Republican plans is that they dismantle and disrupt the health insurance system. Get this, the American people: the provisions espoused by the Republicans would unravel the employer-based system where 159 million Americans get their health coverage. It erodes the employer-provided coverage. It provides fewer choices at higher costs for those who need insurance the most.

Wait until Americans read the Republican plans for us and what they have available.

By the way, the CBO does not in any manner, shape or form tell us how we're going to pay for this under the Republican plans. You've criticized us, and hypocritically, you've done what you say we've done.

AFGHANISTAN

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I'll bet Osama bin Laden and his buddies are high-fiving each other in their caves after hearing that the administration is soft-pedaling on its promise for an aggressive fight in Afghanistan.

In March, the President unveiled a new plan for success for Afghanistan and Pakistan. Sadly, now he's singing a different tune at just the wrong time. General McChrystal recently warned that America and our allies are in danger of losing the war if we do not create a bold, new strategy for America that requires more troops.

The President should heed the general's advice and should stand strong for freedom and security by giving our troops the tools they want, need, and deserve for victory so they can return home with honor.

To quote the President: The world cannot afford the price that will come

due if Afghanistan slides back into chaos.

PROMOTING GENUINE HEALTH CARE REFORM

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, our Republican colleagues would have you believe that there is a considerable amount of agreement between the two sides on how we should best enact health care reform. Well, I think the reality is we have substantial agreement on what the problems are, but very different opinions about how we go about approaching them.

As my colleague Mr. PASCRELL said, last week or 2 weeks ago they were waving this bill, one of many, H.R. 3400, at the President when he spoke here. They might as well have been waving the insurance companies' financial reports because this bill just provides another government subsidy to the insurance companies, which have put us in the big hole that we're in right now. Furthermore, they don't even pay for it.

We are interested in genuine health care reform that's going to provide security and stability for every American citizen and that will help fix Medicare so that it provides continuing great service to our seniors.

The Republican proposals don't do anything like that. We wish they would join us in a sincere effort to promote effective health care reform. We haven't seen that effort yet.

□ 1015

MEDIA IGNORE HEALTH CARE POLL

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, a new Investor's Business Daily poll of more than 1,300 physicians found that nearly two-thirds do not support the administration's health care plan. More than 7 in 10 say the government cannot provide insurance coverage without harming quality.

IBD's findings contradict stories in the national media that claim most doctors support the administration's plan. The media know that the American Medical Association does not speak for all doctors. In fact, only 17 percent of all doctors belong to the AMA in large part because it is too liberal.

It's not a surprise that the national media ignored IBD's poll. It doesn't fit their agenda of more government control and less individual freedom.

NATION'S HEALTH INSURANCE SYSTEM IS BROKEN

(Mr. HEINRICH asked and was given permission to address the House for 1 minute.)

Mr. HEINRICH. Mr. Speaker, it's clear that our Nation's health insurance system is broken and that the status quo is simply unsustainable.

Over the last decade, health insurance premiums in New Mexico have grown 118 percent for the average family, compared to just 50 percent growth in wages. Again, the cost of health insurance grew more than twice as much as wages earned by New Mexico's working families. That same trend has made health care insurance unaffordable for more than one in five adults who went uninsured last year.

Mr. Speaker, we must hold insurance companies accountable for these skyrocketing costs. If we are successful in health insurance reform, we will lower the cost of care for our families. Seniors will actually be able to afford their medications all year long, small businesses will save money, and it will end this impediment to this Nation's competitiveness in the 21st century economy. We simply cannot afford to let this historic opportunity slip away.

CONGRESS NEEDS TIME TO READ BILLS

(Mr. WALDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALDEN. Mr. Speaker, I rise today to call my colleagues to join me and Congressman BRIAN BAIRD and Congressman CULBERSON in signing a discharge petition to change the rules of the House so that Members of Congress have at least 72 hours to read bills like this.

This is the so-called stimulus. We had 12 hours. Now, the Speaker has said we will all have 24 hours. We are asking for 72. The stimulus was 1,073 pages, \$787 billion.

This is the cap-and-tax bill, 16½ hours to digest it, 1,428 pages, \$846 billion.

We should have a chance to read these bills and understand them. Congressman BAIRD and about 90 of us are cosponsors of H.R. 544. It's time to bring it to the floor for a vote. Sign the discharge petition.

Let's bring sunshine into the process. Let's allow Americans, their Representatives and the press the time to read these bills before we have to vote on them here on the House floor.

AGREE ABOUT HEALTH CARE REFORM

(Mr. KAGEN asked and was given permission to address the House for 1 minute.)

Mr. KAGEN. Mr. Speaker, let's all agree about three things when it comes to health care reform. The first message has to be we have to fix what is broken and improve on what we already have and make certain it's at a price we can all afford to pay.

Secondly, and this is in every piece of legislation moving through Congress

on health care, we have to guarantee that no citizen anywhere in this country shall be discriminated against because of preexisting medical conditions.

Isn't it time to finally establish a transparent medical marketplace where all prices for health care service and products are openly disclosed to the public at all times on the Internet? Isn't it time that every customer, when they go to the doctor or hospital or purchase insurance policies, gets to pay the lowest price that's openly disclosed and accepted as payment in full from everyone else?

It's time to have a transparent medical system and make sure that we can drive down prices for everyone.

CMS GAG RULE

(Mr. HERGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HERGER. Mr. Speaker, the Obama administration keeps trying to silence critics of its government-run health care plan. This week, the Centers for Medicare and Medicaid Services decided that Medicare Advantage plans were offering the wrong opinions about the health care bill. So CMS ordered them to stop telling their customers about the proposed cuts to Medicare benefits.

Mr. Speaker, this Chicago-style politics is a shocking abuse of power that flies in the face of the President's call for open and honest debate. It's time to remind the President and CMS that all Americans have a constitutional right to speak their mind, even when that holds back a government takeover of health care.

HEALTH CARE REFORM MUST BE DONE

(Ms. EDWARDS of Maryland asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS of Maryland. Mr. Speaker, health care reform is an imperative. We must get it done now. People want to know and deserve to know what's in it for them.

If you are a senior, it means continued quality medical care and lower prescription drugs. If you are a small business, it means you can afford health care for your family, for yourself, for your employees, and you will get help doing it.

If you have a preexisting condition, diabetes, a heart condition, multiple sclerosis, even acne, you won't be excluded from getting quality affordable health care. If you are a young person no longer on your parents' insurance, it means you can choose insurance you can afford. If, like millions of Americans, most Americans, you already have insurance, you like it, you keep it and you won't see skyrocketing premiums, deductibles and copays.

For all Americans, it means lower cost, quality care, affordable care and choice. You can take your insurance with you when you change jobs. You won't go broke because of limits on yearly health care expenses. It means no copayments for routine preventive care like colonoscopies and mammograms.

You choose your doctor, you choose to change, you choose to stay the same. Choose a public plan, choose a private plan. It's time for Congress to get this done.

INFLATION IS COMING

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Mr. Speaker, when interest rates go up, the value of bonds go down. But this presents a dilemma for the newest and largest bondholder on Earth, the Federal Reserve.

With interest rates low, quantitative easing policies and record spending, inflation is coming. Normally, we would expect the Fed to raise interest rates to protect the value of our dollars from runaway inflation, but now that the Feds owe over \$1 trillion in bonds, an interest rate boost of only 70 basis points would trigger a loss of the entire \$51 billion of the Fed's remaining net capital.

Robert Eisenbeis, the former vice president for the Atlanta Fed, has highlighted this danger. With inflation coming, we do not want the losses that the Feds would have to their own holdings to stop them from doing what will be needed to protect us, and especially seniors, from next year's expected inflation.

MEDICARE CUTS WOULD IMPACT OUR SENIORS

(Mr. BOUSTANY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOUSTANY. Mr. Speaker, yesterday the Director of the Congressional Budget Office stated that seniors with current private Medicare plans could see their benefits cut or costs increase under one of the health care overhaul proposals currently being debated. Many seniors, including more than 140,000 in my home State of Louisiana, depend on these Medicare benefits for their health care.

Far too often, patients in our current government-run programs lack real access to a doctor. Now, under congressional Democrats' plans, they would see their benefits cut or higher costs, according to CBO, the official scorekeeper for Congress.

We can do better. We can achieve commonsense solutions in a bipartisan way. But the current bills in Congress focus on where we disagree. House Republicans have put forward a commonsense plan to revitalize the American

health care system to lower costs for families and businesses and to improve quality.

Our plan puts patients first and their doctors back in control of health care decisions. Our plan makes health care affordable and more accessible with patients able to see their doctor of choice.

Let's work together to put the patient and doctor back in control of their health care destiny.

STOP FUNDING ACORN WITH TAXPAYER DOLLARS

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, I rise again to fight on behalf of Kansans who are furious that ACORN, the political machine of President Obama, is being funneled millions of taxpayer dollars to carry out fraudulent and illegal activities.

It's no secret President Obama paid ACORN over \$800,000 to help him win the White House. For years, this organization has been funded by liberal Democrats, and they have used the money to promote voter fraud and tax fraud, along with other illegal activities.

Despite the dozens of ACORN voter fraud scandals and its 70 convicted members, ACORN receives an outrageous 40 percent of its funding from hardworking taxpayers. This must stop. That's why we are fighting to defund this political machine and prevent further abuse of taxpayer money.

In addition to taking away every single tax dollar ACORN receives, we should strip its tax-exempt status. That's why this week I am introducing a resolution calling for the IRS to stop giving ACORN special tax treatment.

Let's help stop ACORN from using its tax-exempt status to advance liberal political agendas filled with corruption. It's time for Congress to put an end to this fraudulent use of public tax dollars and start working to revive our economy and create jobs.

GOVERNMENT TAKEOVER OF HEALTH CARE

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, it's clear from town hall meetings held across the country that the American people are rejecting the Democrat plan for a government takeover of health care. The President and Democrats in Congress need to start over on their health care plan.

House Republicans have a plan for reform that expands access to affordable health care and gives families the freedom to choose the health care that fits their needs. It's time for the President and Democrats in Congress to begin working with Republicans on real solu-

tions to the challenges our country faces, including health care reform.

According to economic modeling by the President's own chief economic adviser, the business tax increases alone will destroy up to 5.5 million jobs. An independent analysis by the non-partisan Lewin Group found that as many as 114 million Americans could lose their current health insurance.

The Democrats' health care plan also includes harmful cuts to Medicare Advantage, and according to the Congressional Budget Office, will raise seniors' Medicare prescription drug premiums by 20 percent over the next decade.

Despite claims that reform will reduce health care costs, the Congressional Budget Office has said the Democrats' health care plan will actually increase government spending and increase our national debt. The last thing we need is a government takeover of health care.

HEALTH INSURANCE NEEDS TO BE AFFORDABLE

(Mr. BOOZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOOZMAN. Mr. Speaker, I rise today to talk of health care. Last week I had the opportunity to speak and listen at a town hall meeting in Bella Vista, Arkansas. This retirement community voiced their concern that insurance needed to be much more affordable and that we should do away with preexisting conditions. They did not want this paid for, though, on the backs of seniors.

In the current proposal, \$500 billion is taken away from Medicare. They do this by decreasing or eliminating the subsidy on Advantage plans, so most seniors would lose this opportunity to help them. There would be less money to providers when, in the situation we have now, it's very difficult to even find a Medicare provider in some cases.

Again, it makes no sense, Mr. Speaker, to cut Medicare \$500 billion, increase the patient load by 30 percent, not provide any more doctors to take care of the people, and no more facilities. We need reform, but we need commonsense reform. We must not do something just for the sake of doing it.

LIVINGSTONE AND JOHNSON C. SMITH TO RENEW 117-YEAR RIVALRY

(Mr. WATT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WATT. Mr. Speaker, on December 27, 1892, the first college football game between two historically black institutions of higher education was played in Salisbury, North Carolina. On October 3, 2009, The Livingstone College and Johnson C. Smith University football teams will extend this 117-year rivalry in the 2009 Commemorative Classic football game.

I rise to recognize and pay tribute to Livingstone College and Johnson C. Smith University as they prepare to participate in this historic game, which is being played in my congressional district. Collegiate sports provide a backdrop for a multitude of life's lessons and a crucible in which many of society's leaders are shaped.

To quote Livingstone College President S.E. Duncan: The claim that football engenders school spirit has seldom been challenged. For the stimulation of academic improvement, its impact on citizenship and the outcome of our students on physical fitness, football comes increasingly to their attention for consideration.

I wish continued success to Livingstone College and Johnson C. Smith University and wish both of them success in this year's game.

□ 1030

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

DEFENSE PRODUCTION ACT REAUTHORIZATION OF 2009

Mr. WATT. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1677) to reauthorize the Defense Production Act of 1950, and for other purposes.

The Clerk read the title of the bill.
The text of the bill is as follows:

S. 1677

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Defense Production Act Reauthorization of 2009”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Reauthorization of Defense Production Act of 1950.
- Sec. 3. Declaration of policy.
- Sec. 4. Priority in contracts and orders.
- Sec. 5. Designation of energy as a strategic and critical material.
- Sec. 6. Strengthening domestic capability.
- Sec. 7. Expansion of productive capacity and supply.
- Sec. 8. Definitions.
- Sec. 9. Voluntary agreements and plans of action for national defense.
- Sec. 10. Employment of personnel; appointment policies; nucleus executive reserve; use of confidential information by employees; printing and distribution of reports.
- Sec. 11. Defense Production Act Committee.
- Sec. 12. Annual report on impact of offsets.

SEC. 2. REAUTHORIZATION OF DEFENSE PRODUCTION ACT OF 1950.

(a) TERMINATION OF ACT.—

(1) TERMINATION.—Section 717 of the Defense Production Act of 1950 (50 U.S.C. App. 2166) is amended—

(A) by striking subsections (a) and (b) and inserting the following:

“(a) Title I (except section 104), title III, and title VII (except sections 707, 708, and 721) shall terminate on September 30, 2014, except that all authority extended under title III on or after the date of enactment of the Defense Production Act Reauthorization of 2009 shall be effective for any fiscal year only to such extent or in such amounts as are provided in advance in appropriations Acts.

“(b) Notwithstanding subsection (a), any agency created under a provision of law that is terminated under subsection (a) may continue in existence, for purposes of liquidation, for a period not to exceed 6 months, beginning on the date of termination of the provision authorizing the creation of such agency under subsection (a).”; and

(B) in subsection (c), by striking the second undesignated paragraph.

(2) REPEALS.—Titles II, IV, V, and VI of the Defense Production Act of 1950 (50 U.S.C. App. 2151 et seq., 2101 et seq., 2121 et seq., and 2131 et seq.) are repealed.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 711 of the Defense Production Act of 1950 (50 U.S.C. App. 2161) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “(including)” and all that follows through “)” by” and inserting “by”; and

(B) by striking “(a) AUTHORIZATION.—Except as provided in subsection (b), there” and inserting “There”; and

(2) by striking subsection (b).

SEC. 3. DECLARATION OF POLICY.

(a) FINDINGS.—Section 2 of the Defense Production Act of 1950 (50 U.S.C. App. 2062) is amended to read as follows:

“SEC. 2. DECLARATION OF POLICY.

“(a) FINDINGS.—Congress finds that—

“(1) the security of the United States is dependent on the ability of the domestic industrial base to supply materials and services for the national defense and to prepare for and respond to military conflicts, natural or man-caused disasters, or acts of terrorism within the United States;

“(2) to ensure the vitality of the domestic industrial base, actions are needed—

“(A) to promote industrial resources preparedness in the event of domestic or foreign threats to the security of the United States;

“(B) to support continuing improvements in industrial efficiency and responsiveness;

“(C) to provide for the protection and restoration of domestic critical infrastructure operations under emergency conditions; and

“(D) to respond to actions taken outside of the United States that could result in reduced supplies of strategic and critical materials, including energy, necessary for national defense and the general economic well-being of the United States;

“(3) in order to provide for the national security, the national defense preparedness effort of the United States Government requires—

“(A) preparedness programs to respond to both domestic emergencies and international threats to national defense;

“(B) measures to improve the domestic industrial base for national defense;

“(C) the development of domestic productive capacity to meet—

“(i) essential national defense needs that can result from emergency conditions; and

“(ii) unique technological requirements; and

“(D) the diversion of certain materials and facilities from ordinary use to national defense purposes, when national defense needs

cannot otherwise be satisfied in a timely fashion;

“(4) to meet the requirements referred to in this subsection, this Act provides the President with an array of authorities to shape national defense preparedness programs and to take appropriate steps to maintain and enhance the domestic industrial base;

“(5) in order to ensure national defense preparedness, it is necessary and appropriate to assure the availability of domestic energy supplies for national defense needs;

“(6) to further assure the adequate maintenance of the domestic industrial base, to the maximum extent possible, domestic energy supplies should be augmented through reliance on renewable energy sources (including solar, geothermal, wind, and biomass sources), more efficient energy storage and distribution technologies, and energy conservation measures;

“(7) much of the industrial capacity that is relied upon by the United States Government for military production and other national defense purposes is deeply and directly influenced by—

“(A) the overall competitiveness of the industrial economy of the United States; and

“(B) the ability of industries in the United States, in general, to produce internationally competitive products and operate profitably while maintaining adequate research and development to preserve competitiveness with respect to military and civilian production; and

“(8) the inability of industries in the United States, especially smaller subcontractors and suppliers, to provide vital parts and components and other materials would impair the ability to sustain the Armed Forces of the United States in combat for longer than a short period.

“(b) STATEMENT OF POLICY.—It is the policy of the United States that—

“(1) to ensure the adequacy of productive capacity and supply, Federal departments and agencies that are responsible for national defense acquisition should continuously assess the capability of the domestic industrial base to satisfy production requirements under both peacetime and emergency conditions, specifically evaluating the availability of adequate production sources, including subcontractors and suppliers, materials, skilled labor, and professional and technical personnel;

“(2) every effort should be made to foster cooperation between the defense and commercial sectors for research and development and for acquisition of materials, components, and equipment;

“(3) plans and programs to carry out the purposes of this Act should be undertaken with due consideration for promoting efficiency and competition;

“(4) in providing United States Government financial assistance under this Act to correct a domestic industrial base shortfall, the President should give consideration to the creation or maintenance of production sources that will remain economically viable after such assistance has ended;

“(5) authorities under this Act should be used to reduce the vulnerability of the United States to terrorist attacks, and to minimize the damage and assist in the recovery from terrorist attacks that occur in the United States;

“(6) in order to ensure productive capacity in the event of an attack on the United States, the United States Government should encourage the geographic dispersal of industrial facilities in the United States to discourage the concentration of such productive facilities within limited geographic areas that are vulnerable to attack by an enemy of the United States;

“(7) to ensure that essential national defense requirements are met, consideration should be given to stockpiling strategic materials, to the extent that such stockpiling is economical and feasible; and

“(8) in the construction of any industrial facility owned by the United States Government, in the rendition of any financial assistance by the United States Government for the construction, expansion, or improvement of any industrial facility, and in the production of goods and services, under this Act or any other provision of law, each department and agency of the United States Government should apply, under the coordination of the Federal Emergency Management Agency, when practicable and consistent with existing law and the desirability for maintaining a sound economy, the principle of geographic dispersal of such facilities in the interest of national defense.”.

SEC. 4. PRIORITY IN CONTRACTS AND ORDERS.

Section 101 of the Defense Production Act of 1950 (50 U.S.C. App. 2071) is amended by adding at the end the following:

“(d) The head of each Federal agency to which the President delegates authority under this section shall—

“(1) not later than 270 days after the date of enactment of the Defense Production Act Reauthorization of 2009, issue final rules, in accordance with section 553 of title 5, United States Code, that establish standards and procedures by which the priorities and allocations authority under this section is used to promote the national defense, under both emergency and nonemergency conditions; and

“(2) as appropriate and to the extent practicable, consult with the heads of other Federal agencies to develop a consistent and unified Federal priorities and allocations system.”.

SEC. 5. DESIGNATION OF ENERGY AS A STRATEGIC AND CRITICAL MATERIAL.

Section 106 of the Defense Production Act of 1950 (50 U.S.C. App. 2076) is amended—

(1) by striking “such designation” and all that follows through “(1)” and inserting “such designation”;

(2) by striking “; or” and inserting a period; and

(3) by striking paragraph (2).

SEC. 6. STRENGTHENING DOMESTIC CAPABILITY.

Section 107 of the Defense Production Act of 1950 (50 U.S.C. App. 2077) is amended—

(1) in subsection (a)—

(A) by inserting “restore,” after “modernize,”; and

(B) by inserting “materials,” after “items,”; and

(2) in subsection (b)—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(C) in paragraph (1), as so redesignated, by striking “or critical technology items” and inserting “, critical technology items, essential materials, and industrial resources”.

SEC. 7. EXPANSION OF PRODUCTIVE CAPACITY AND SUPPLY.

Title III of the Defense Production Act of 1950 (50 U.S.C. App. 2091 et seq.) is amended to read as follows:

“TITLE III—EXPANSION OF PRODUCTIVE CAPACITY AND SUPPLY

“SEC. 301. PRESIDENTIAL AUTHORIZATION FOR THE NATIONAL DEFENSE.

“(a) EXPEDITING PRODUCTION AND DELIVERIES OR SERVICES.—

“(1) AUTHORIZED ACTIVITIES.—To reduce current or projected shortfalls of industrial resources, critical technology items, or essential materials needed for national defense purposes, subject to such regulations as the President may prescribe, the President may

authorize a guaranteeing agency to provide guarantees of loans by private institutions for the purpose of financing any contractor, subcontractor, provider of critical infrastructure, or other person in support of production capabilities or supplies that are deemed by the guaranteeing agency to be necessary to create, maintain, expedite, expand, protect, or restore production and deliveries or services essential to the national defense.

“(2) PRESIDENTIAL DETERMINATIONS REQUIRED.—Except during a period of national emergency declared by Congress or the President, a loan guarantee may be entered into under this section only if the President determines that—

“(A) the loan guarantee is for an activity that supports the production or supply of an industrial resource, critical technology item, or material that is essential for national defense purposes;

“(B) without a loan guarantee, credit is not available to the loan applicant under reasonable terms or conditions sufficient to finance the activity;

“(C) the loan guarantee is the most cost effective, expedient, and practical alternative for meeting the needs of the Federal Government;

“(D) the prospective earning power of the loan applicant and the character and value of the security pledged provide a reasonable assurance of repayment of the loan to be guaranteed;

“(E) the loan to be guaranteed bears interest at a rate determined by the Secretary of the Treasury to be reasonable, taking into account the then-current average yield on outstanding obligations of the United States with remaining periods of maturity comparable to the maturity of the loan;

“(F) the loan agreement for the loan to be guaranteed provides that no provision of the loan agreement may be amended or waived without the consent of the fiscal agent of the United States for the guarantee; and

“(G) the loan applicant has provided or will provide—

“(i) an assurance of repayment, as determined by the President; and

“(ii) security—

“(I) in the form of a performance bond, insurance, collateral, or other means acceptable to the fiscal agent of the United States; and

“(II) in an amount equal to not less than 20 percent of the amount of the loan.

“(3) LIMITATIONS ON LOANS.—Loans under this section may be—

“(A) made or guaranteed under the authority of this section only to the extent that an appropriations Act—

“(i) provides, in advance, budget authority for the cost of such guarantees, as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a); and

“(ii) establishes a limitation on the total loan principal that may be guaranteed; and

“(B) made without regard to the limitations of existing law, other than section 1341 of title 31, United States Code.

“(b) FISCAL AGENTS OF THE UNITED STATES.—

“(1) IN GENERAL.—Any Federal agency or any Federal reserve bank, when designated by the President, is hereby authorized to act, on behalf of any guaranteeing agency, as fiscal agent of the United States in the making of such contracts of guarantee and in otherwise carrying out the purposes of this section.

“(2) FUNDS.—All such funds as may be necessary to enable any fiscal agent described in paragraph (1) to carry out any guarantee made by it on behalf of any guaranteeing agency shall be supplied and disbursed by or

under authority from such guaranteeing agency.

“(3) LIMIT ON LIABILITY.—No fiscal agent described in paragraph (1) shall have any responsibility or accountability, except as agent in taking any action pursuant to or under authority of this section.

“(4) REIMBURSEMENTS.—Each fiscal agent described in paragraph (1) shall be reimbursed by each guaranteeing agency for all expenses and losses incurred by such fiscal agent in acting as agent on behalf of such guaranteeing agency, including, notwithstanding any other provision of law, attorneys’ fees and expenses of litigation.

“(c) OVERSIGHT.—

“(1) IN GENERAL.—All actions and operations of fiscal agents under authority of or pursuant to this section shall be subject to the supervision of the President, and to such regulations as the President may prescribe.

“(2) OTHER AUTHORITY.—The President is authorized to prescribe—

“(A) either specifically or by maximum limits or otherwise, rates of interest, guarantee and commitment fees, and other charges which may be made in connection with loans, discounts, advances, or commitments guaranteed by the guaranteeing agencies through fiscal agents under this section; and

“(B) regulations governing the forms and procedures (which shall be uniform to the extent practicable) to be utilized in connection with such guarantees.

“(d) AGGREGATE GUARANTEE AMOUNTS.—

“(1) INDUSTRIAL RESOURCE AND CRITICAL TECHNOLOGY SHORTFALLS.—

“(A) IN GENERAL.—If the making of any guarantee or obligation of the Federal Government under this title relating to a domestic industrial base shortfall would cause the aggregate outstanding amount of all guarantees for such shortfall to exceed \$50,000,000, any such guarantee may be made only—

“(i) if the President has notified the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives in writing of the proposed guarantee; and

“(ii) after the 30-day period following the date on which notice under clause (i) is provided.

“(B) WAIVERS AUTHORIZED.—The requirements of subparagraph (A) may be waived—

“(i) during a period of national emergency declared by Congress or the President; or

“(ii) upon a determination by the President, on a nondelegable basis, that a specific guarantee is necessary to avert an industrial resource or critical technology item shortfall that would severely impair national defense capability.

“(2) OTHER LIMITATIONS.—The authority conferred by this section shall not be used primarily to prevent the financial insolvency or bankruptcy of any person, unless—

“(A) the President certifies that the insolvency or bankruptcy would have a direct and substantially adverse effect upon national defense production; and

“(B) a copy of the certification under subparagraph (A), together with a detailed justification thereof, is transmitted to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives not later than 10 days prior to the exercise of that authority for such use.

“SEC. 302. LOANS TO PRIVATE BUSINESS ENTERPRISES.

“(a) LOAN AUTHORITY.—To reduce current or projected shortfalls of industrial resources, critical technology items, or materials essential for the national defense, the President may make provision for loans to

private business enterprises (including non-profit research corporations and providers of critical infrastructure) for the creation, maintenance, expansion, protection, or restoration of capacity, the development of technological processes, or the production of essential materials, including the exploration, development, and mining of strategic and critical metals and minerals.

“(b) CONDITIONS OF LOANS.—Loans may be made under this section on such terms and conditions as the President deems necessary, except that—

“(1) financial assistance may be extended only to the extent that it is not otherwise available from private sources on reasonable terms; and

“(2) during periods of national emergency declared by the Congress or the President, no such loan may be made unless the President determines that—

“(A) the loan is for an activity that supports the production or supply of an industrial resource, critical technology item, or material that is essential to the national defense;

“(B) without the loan, United States industry cannot reasonably be expected to provide the needed capacity, technological processes, or materials in a timely manner;

“(C) the loan is the most cost-effective, expedient, and practical alternative method for meeting the need;

“(D) the prospective earning power of the loan applicant and the character and value of the security pledged provide a reasonable assurance of repayment of the loan in accordance with the terms of the loan, as determined by the President; and

“(E) the loan bears interest at a rate determined by the Secretary of the Treasury to be reasonable, taking into account the then-current average yield on outstanding obligations of the United States with remaining periods of maturity comparable to the maturity of the loan.

“(c) LIMITATIONS ON LOANS.—Loans under this section may be—

“(1) made or guaranteed under the authority of this section only to the extent that an appropriations Act—

“(A) provides, in advance, budget authority for the cost of such guarantees, as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a); and

“(B) establishes a limitation on the total loan principal that may be guaranteed; and

“(2) made without regard to the limitations of existing law, other than section 1341 of title 31, United States Code.

“(d) AGGREGATE LOAN AMOUNTS.—

“(1) IN GENERAL.—If the making of any loan under this section to correct a shortfall would cause the aggregate outstanding amount of all obligations of the Federal Government under this title relating to such shortfall to exceed \$50,000,000, such loan may be made only—

“(A) if the President has notified the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, in writing, of the proposed loan; and

“(B) after the 30-day period following the date on which notice under subparagraph (A) is provided.

“(2) WAIVERS AUTHORIZED.—The requirements of paragraph (1) may be waived—

“(A) during a period of national emergency declared by the Congress or the President; and

“(B) upon a determination by the President, on a nondelegable basis, that a specific loan is necessary to avert an industrial resource or critical technology shortfall that would severely impair national defense capability.

“SEC. 303. OTHER PRESIDENTIAL ACTION AUTHORIZED.

“(a) IN GENERAL.—

“(1) IN GENERAL.—To create, maintain, protect, expand, or restore domestic industrial base capabilities essential for the national defense, the President may make provision—

“(A) for purchases or commitments to purchase an industrial resource or a critical technology item, for Government use or resale;

“(B) for the encouragement of exploration, development, and mining of critical and strategic materials, and other materials;

“(C) for the development of production capabilities; and

“(D) for the increased use of emerging technologies in security program applications and the rapid transition of emerging technologies—

“(i) from Government-sponsored research and development to commercial applications; and

“(ii) from commercial research and development to national defense applications.

“(2) TREATMENT OF CERTAIN AGRICULTURAL COMMODITIES.—A purchase for resale under this subsection shall not include that part of the supply of an agricultural commodity which is domestically produced, except to the extent that such domestically produced supply may be purchased for resale for industrial use or stockpiling.

“(3) TERMS OF SALES.—No commodity purchased under this subsection shall be sold at less than—

“(A) the established ceiling price for such commodity, except that minerals, metals, and materials shall not be sold at less than the established ceiling price, or the current domestic market price, whichever is lower; or

“(B) if no ceiling price has been established, the higher of—

“(i) the current domestic market price for such commodity; or

“(ii) the minimum sale price established for agricultural commodities owned or controlled by the Commodity Credit Corporation, as provided in section 407 of the Agricultural Act of 1949 (7 U.S.C. 1427).

“(4) DELIVERY DATES.—No purchase or commitment to purchase any imported agricultural commodity shall specify a delivery date which is more than 1 year after the date of termination of this section.

“(5) PRESIDENTIAL DETERMINATIONS.—Except as provided in paragraph (7), the President may not execute a contract under this subsection unless the President determines that—

“(A) the industrial resource, material, or critical technology item is essential to the national defense; and

“(B) without Presidential action under this section, United States industry cannot reasonably be expected to provide the capability for the needed industrial resource, material, or critical technology item in a timely manner.

“(6) NOTIFICATION TO CONGRESS OF SHORTFALL.—

“(A) IN GENERAL.—Except as provided in paragraph (7), the President shall provide written notice to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives of a domestic industrial base shortfall prior to taking action under this subsection to remedy the shortfall. The notice shall include the determinations made by the President under paragraph (5).

“(B) AGGREGATE AMOUNTS.—If the taking of any action under this subsection to correct a domestic industrial base shortfall would cause the aggregate outstanding amount of all such actions for such shortfall to exceed

\$50,000,000, the action or actions may be taken only after the 30-day period following the date on which the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives have been notified in writing of the proposed action.

“(7) WAIVERS AUTHORIZED.—The requirements of paragraphs (1) through (6) may be waived—

“(A) during a period of national emergency declared by the Congress or the President; or

“(B) upon a determination by the President, on a nondelegable basis, that action is necessary to avert an industrial resource or critical technology item shortfall that would severely impair national defense capability.

“(b) EXEMPTION FOR CERTAIN LIMITATIONS.—Subject to the limitations in subsection (a), purchases and commitments to purchase and sales under subsection (a) may be made without regard to the limitations of existing law (other than section 1341 of title 31, United States Code), for such quantities, and on such terms and conditions, including advance payments, and for such periods, but not extending beyond a date that is not more than 10 years from the date on which such purchase, purchase commitment, or sale was initially made, as the President deems necessary, except that purchases or commitments to purchase involving higher than established ceiling prices (or if no such established ceiling prices exist, currently prevailing market prices) or anticipated loss on resale shall not be made, unless it is determined that supply of the materials could not be effectively increased at lower prices or on terms more favorable to the Government, or that such purchases are necessary to assure the availability to the United States of overseas supplies.

“(c) PRESIDENTIAL FINDINGS.—

“(1) IN GENERAL.—The President may take the actions described in paragraph (2), if the President finds that—

“(A) under generally fair and equitable ceiling prices, for any raw or nonprocessed material, there will result a decrease in supplies from high-cost sources of such material, and that the continuation of such supplies is necessary to carry out the objectives of this title; or

“(B) an increase in cost of transportation is temporary in character and threatens to impair maximum production or supply in any area at stable prices of any materials.

“(2) SUBSIDY PAYMENTS AUTHORIZED.—Upon a finding under paragraph (1), the President may make provision for subsidy payments on any such domestically produced material, other than an agricultural commodity, in such amounts and in such manner (including purchases of such material and its resale at a loss), and on such terms and conditions, as the President determines to be necessary to ensure that supplies from such high-cost sources are continued, or that maximum production or supply in such area at stable prices of such materials is maintained, as the case may be.

“(d) INCIDENTAL AUTHORITY.—The procurement power granted to the President by this section shall include the power to transport and store and have processed and refined any materials procured under this section.

“(e) INSTALLATION OF EQUIPMENT IN INDUSTRIAL FACILITIES.—

“(1) INSTALLATION AUTHORIZED.—If the President determines that such action will aid the national defense, the President is authorized—

“(A) to procure and install additional equipment, facilities, processes or improvements to plants, factories, and other industrial facilities owned by the Federal Government;

“(B) to procure and install equipment owned by the Federal Government in plants,

factories, and other industrial facilities owned by private persons;

“(C) to provide for the modification or expansion of privately owned facilities, including the modification or improvement of production processes, when taking actions under section 301, 302, or this section; and

“(D) to sell or otherwise transfer equipment owned by the Federal Government and installed under this subsection to the owners of such plants, factories, or other industrial facilities.

“(2) INDEMNIFICATION.—The owner of any plant, factory, or other industrial facility that receives equipment owned by the Federal Government under this section shall agree—

“(A) to waive any claim against the United States under section 107 or 113 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607 and 9613); and

“(B) to indemnify the United States against any claim described in paragraph (1) made by a third party that arises out of the presence or use of equipment owned by the Federal Government.

“(f) EXCESS METALS, MINERALS, AND MATERIALS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law to the contrary, metals, minerals, and materials acquired pursuant to this section which, in the judgment of the President, are excess to the needs of programs under this Act, shall be transferred to the National Defense Stockpile established by the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.), when the President deems such action to be in the public interest.

“(2) TRANSFERS AT NO CHARGE.—Transfers made pursuant to this subsection shall be made without charge against or reimbursement from funds appropriated for the purposes of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.), except that costs incident to such transfer, other than acquisition costs, shall be paid or reimbursed from such funds.

“(g) SUBSTITUTES.—When, in the judgment of the President, it will aid the national defense, the President may make provision for the development of substitutes for strategic and critical materials, critical components, critical technology items, and other industrial resources.

“SEC. 304. DEFENSE PRODUCTION ACT FUND.

“(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a separate fund to be known as the ‘Defense Production Act Fund’ (in this section referred to as the ‘Fund’).

“(b) MONEYS IN FUND.—There shall be credited to the Fund—

“(1) all moneys appropriated for the Fund, as authorized by section 711; and

“(2) all moneys received by the Fund on transactions entered into pursuant to section 303.

“(c) USE OF FUND.—The Fund shall be available to carry out the provisions and purposes of this title, subject to the limitations set forth in this Act and in appropriations Acts.

“(d) DURATION OF FUND.—Moneys in the Fund shall remain available until expended.

“(e) FUND BALANCE.—The Fund balance at the close of each fiscal year shall not exceed \$750,000,000, excluding any moneys appropriated to the Fund during that fiscal year or obligated funds. If, at the close of any fiscal year, the Fund balance exceeds \$750,000,000, the amount in excess of \$750,000,000 shall be paid into the general fund of the Treasury.

“(f) FUND MANAGER.—The President shall designate a Fund manager. The duties of the Fund manager shall include—

“(1) determining the liability of the Fund in accordance with subsection (g);

“(2) ensuring the visibility and accountability of transactions engaged in through the Fund; and

“(3) reporting to the Congress each year regarding activities of the Fund during the previous fiscal year.

“(g) LIABILITIES AGAINST FUND.—When any agreement entered into pursuant to this title after December 31, 1991, imposes any contingent liability upon the United States, such liability shall be considered an obligation against the Fund.”.

SEC. 8. DEFINITIONS.

Section 702 of the Defense Production Act of 1950 (50 U.S.C. App. 2152) is amended—

(1) in paragraph (1), by striking “military equipment identified by the Secretary of Defense” and inserting “equipment identified by the President”; and

(2) by striking paragraphs (2), (4), (9), and (18);

(3) by redesignating paragraph (3) as paragraph (2);

(4) by inserting after paragraph (2), as so redesignated, the following:

“(3) CRITICAL TECHNOLOGY.—The term ‘critical technology’ includes any technology designated by the President to be essential to the national defense.”;

(5) by redesignating paragraphs (5) through (8) as paragraphs (4) through (7), respectively;

(6) in paragraph (6), as so redesignated—

(A) in the paragraph heading, by striking “DEFENSE”;

(B) by striking “domestic defense” and inserting “domestic”; and

(C) by striking “graduated mobilization.”;

(7) by redesignating paragraphs (10) and (11) as paragraphs (8) and (9), respectively;

(8) by inserting after paragraph (9), as so redesignated, the following:

“(10) GUARANTEEING AGENCY.—The term ‘guaranteeing agency’ means a department or agency of the United States engaged in procurement for the national defense.

“(11) HOMELAND SECURITY.—The term ‘homeland security’ includes efforts—

“(A) to prevent terrorist attacks within the United States;

“(B) to reduce the vulnerability of the United States to terrorism;

“(C) to minimize damage from a terrorist attack in the United States; and

“(D) to recover from a terrorist attack in the United States.”;

(9) in paragraph (12), by striking “capacity” and inserting “base”;

(10) in paragraph (14), by striking “military assistance to any foreign nation” and inserting “military or critical infrastructure assistance to any foreign nation, homeland security”; and

(11) in paragraph (16)—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

“(C) the movement of individuals and property by all modes of civil transportation; or

“(D) other national defense programs and activities.”.

SEC. 9. VOLUNTARY AGREEMENTS AND PLANS OF ACTION FOR NATIONAL DEFENSE.

Section 708 of the Defense Production Act of 1950 (50 U.S.C. App. 2158) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking “defense of the United States” and all that follows through the period and inserting “national defense.”; and

(B) by adding at the end the following:

“(3) Upon a determination by the President, on a nondelegable basis, that a specific

voluntary agreement or plan of action is necessary to meet national defense requirements resulting from an event that degrades or destroys critical infrastructure—

“(A) an individual that has been delegated authority under paragraph (1) with respect to such agreement or plan shall not be required to consult with the Attorney General or the Federal Trade Commission under paragraph (2)(B); and

“(B) the President shall publish a rule in accordance with subsection (e)(2)(B) and publish notice in accordance with subsection (e)(3)(B) with respect to such agreement or plan as soon as is practicable under the circumstances.”;

(2) in subsection (f)(2)—

(A) by striking “two years” each place that term appears and inserting “5 years”; and

(B) by striking “two-year” and inserting “5-year”; and

(3) by striking subsection (n) and inserting the following:

“(n) EXEMPTION FROM ADVISORY COMMITTEE ACT PROVISIONS.—Notwithstanding any other provision of law, the Federal Advisory Committee Act (5 U.S.C. App.) and any other provision of Federal law relating to advisory committees shall not apply to—

“(1) the consultations referred to in subsection (c)(1); or

“(2) any activity conducted under a voluntary agreement or plan of action approved pursuant to this section that complies with the requirements of this section.”.

SEC. 10. EMPLOYMENT OF PERSONNEL; APPOINTMENT POLICIES; NUCLEUS EXECUTIVE RESERVE; USE OF CONFIDENTIAL INFORMATION BY EMPLOYEES; PRINTING AND DISTRIBUTION OF REPORTS.

Section 710 of the Defense Production Act of 1950 (50 U.S.C. App. 2160) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking clause (iii);

(B) by striking paragraph (4);

(C) by redesignating paragraphs (5) through (8) as paragraphs (4) through (7), respectively; and

(D) in paragraph (6), as so redesignated, by striking “At least” and all that follows through “survey” and inserting “The Director of the Office of Personnel Management shall carry out a biennial survey of”;

(2) in subsection (c), by striking the third sentence;

(3) in subsection (d), by striking “needed,” and all that follows through the period and inserting “needed.”; and

(4) in subsection (e)—

(A) in the first sentence, by striking “emergency” and inserting “national defense emergency, as determined by the President”; and

(B) by striking the third sentence.

SEC. 11. DEFENSE PRODUCTION ACT COMMITTEE.

Section 722 of the Defense Production Act of 1950 (50 U.S.C. App. 2171) is amended to read as follows:

“SEC. 722. DEFENSE PRODUCTION ACT COMMITTEE.

“(a) COMMITTEE ESTABLISHED.—There is established the Defense Production Act Committee (in this section referred to as the ‘Committee’), which shall advise the President on the effective use of the authority under this Act by the departments, agencies, and independent establishments of the Federal Government to which the President has delegated authority under this Act.

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—The members of the Committee shall be—

“(A) the head of each Federal agency to which the President has delegated authority under this Act; and

“(B) the Chairperson of the Council of Economic Advisors.

“(2) CHAIRPERSON.—The President shall designate 1 member of the Committee as the Chairperson of the Committee.

“(c) EXECUTIVE DIRECTOR.—

“(1) IN GENERAL.—The President shall appoint an Executive Director of the Defense Production Act Committee (in this section referred to as the ‘Executive Director’), who shall—

“(A) be responsible to the Chairperson of the Committee; and

“(B) carry out such activities relating to the Committee as the Chairperson may determine.

“(2) APPOINTMENT.—The appointment by the President shall not be subject to the advice and consent of the Senate.

“(3) COMPENSATION.—For pay periods beginning on or after the date on which each Chairperson is appointed, funds for the pay of the Executive Director shall be paid from appropriations to the salaries and expenses account of the department or agency of the Chairperson of the Committee. The Executive Director shall be compensated at a rate of pay equivalent to that of a Deputy Assistant Secretary (or a comparable position) of the Federal agency of the Chairperson of the Committee.

“(d) REPORT.—Not later than the end of the first quarter of each calendar year, the Committee shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report signed by each member of the Committee that contains—

“(1) a review of the authority under this Act of each department, agency, or independent establishment of the Federal Government to which the President has delegated authority under this Act;

“(2) recommendations for the effective use of the authority described in paragraph (1) in a manner consistent with the statement of policy under section 2(b);

“(3) recommendations for legislation, regulations, executive orders, or other action by the Federal Government necessary to improve the use of the authority described in paragraph (1); and

“(4) recommendations for improving information sharing between departments, agencies, and independent establishments of the Federal Government relating to all aspects of the authority described in paragraph (1).

“(e) FEDERAL ADVISORY COMMITTEE ACT.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.”

SEC. 12. ANNUAL REPORT ON IMPACT OF OFFSETS.

(a) ANNUAL REPORT.—Title VII of the Defense Production Act of 1950 (50 U.S.C. App. 2151 et seq.) is amended by adding at the end the following:

“SEC. 723. ANNUAL REPORT ON IMPACT OF OFFSETS.

“(a) REPORT REQUIRED.—

“(1) IN GENERAL.—The President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, a detailed annual report on the impact of offsets on the defense preparedness, industrial competitiveness, employment, and trade of the United States.

“(2) DUTIES OF THE SECRETARY OF COMMERCE.—The Secretary of Commerce (hereafter in this subsection referred to as the ‘Secretary’) shall—

“(A) prepare the report required by paragraph (1);

“(B) consult with the Secretary of Defense, the Secretary of the Treasury, the Secretary

of State, and the United States Trade Representative in connection with the preparation of such report; and

“(C) function as the President’s Executive Agent for carrying out this section.

“(b) INTERAGENCY STUDIES AND RELATED DATA.—

“(1) PURPOSE OF REPORT.—Each report required under subsection (a) shall identify the cumulative effects of offset agreements on—

“(A) the full range of domestic defense productive capability (with special attention paid to the firms serving as lower-tier subcontractors or suppliers); and

“(B) the domestic defense technology base as a consequence of the technology transfers associated with such offset agreements.

“(2) USE OF DATA.—Data developed or compiled by any agency while conducting any interagency study or other independent study or analysis shall be made available to the Secretary to facilitate the execution of the Secretary’s responsibilities with respect to trade offset and countertrade policy development.

“(c) NOTICE OF OFFSET AGREEMENTS.—

“(1) IN GENERAL.—If a United States firm enters into a contract for the sale of a weapon system or defense-related item to a foreign country or foreign firm and such contract is subject to an offset agreement exceeding \$5,000,000 in value, such firm shall furnish to the official designated in the regulations promulgated pursuant to paragraph (2) information concerning such sale.

“(2) REGULATIONS.—The information to be furnished under paragraph (1) shall be prescribed in regulations promulgated by the Secretary. Such regulations shall provide protection from public disclosure for such information, unless public disclosure is subsequently specifically authorized by the firm furnishing the information.

“(d) CONTENTS OF REPORT.—

“(1) IN GENERAL.—Each report under subsection (a) shall include—

“(A) a net assessment of the elements of the industrial base and technology base covered by the report;

“(B) recommendations for appropriate remedial action under the authority of this Act, or other law or regulations;

“(C) a summary of the findings and recommendations of any interagency studies conducted during the reporting period under subsection (b);

“(D) a summary of offset arrangements concluded during the reporting period for which information has been furnished pursuant to subsection (c); and

“(E) a summary and analysis of any bilateral and multilateral negotiations relating to the use of offsets completed during the reporting period.

“(2) ALTERNATIVE FINDINGS OR RECOMMENDATIONS.—Each report required under this section shall include any alternative findings or recommendations offered by any departmental Secretary, agency head, or the United States Trade Representative to the Secretary.

“(e) UTILIZATION OF ANNUAL REPORT IN NEGOTIATIONS.—The findings and recommendations of the reports required by subsection (a), and any interagency reports and analyses shall be considered by representatives of the United States during bilateral and multilateral negotiations to minimize the adverse effects of offsets.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) DEFENSE PRODUCTION ACT AMENDMENTS OF 1992.—Section 123(c)(1)(C) of the Defense Production Act Amendments of 1992 (50 U.S.C. App. 2099 note) is amended by striking “section 309(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2099(a))” and inserting

“section 723(a) of the Defense Production Act of 1950”.

(2) AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY ACT OF 2000.—Section 1102(2) of the American Homeownership and Economic Opportunity Act of 2000 (31 U.S.C. 1113 note) is amended by striking “309 of the Defense Production Act of 1950 (50 U.S.C. App. 2099)” and inserting “723 of the Defense Production Act of 1950”.

(3) DEFENSE PRODUCTION ACT AMENDMENTS OF 2003.—Section 7(a) of the Defense Production Act Amendments of 2003 (50 U.S.C. App. 2099 note) is amended by striking “section 309(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2099(a))” and inserting “section 723(a) of the Defense Production Act of 1950”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WATT) and the gentleman from Minnesota (Mr. PAULSEN) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. WATT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WATT. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of S. 1677, the Defense Production Act Reauthorization of 2009. The Defense Production Act was enacted in 1950 during the Korean War to assure the timely availability of industrial resources to meet national defense needs, particularly in times of crisis.

The Defense Production Act has expanded beyond its original focus on military requirements, as the name suggests, to expand industrial resources to meet other emergency preparedness and critical infrastructure needs, thereby allowing civilian agencies to respond rapidly to crises such as natural disasters or terrorist attacks.

S. 1677 updates the Cold War-era law with 21st century tools and taxpayer protections. In accordance with the General Accounting Office and Department of Homeland Security recommendations, it mandates greater coordination and implementation among Federal civilian agencies to use authorities to prioritize government contracts for our national defense and domestic emergency needs. It modernizes Federal loan and loan guarantee authorities in the act so essential government suppliers that otherwise would have trouble accessing credit can access credit to expand domestic industrial capacity in emergency situations. Such assistance is conditioned on government need, recipients’ viability, and specific congressional appropriation.

This new bill would establish a new interagency body called the Defense Production Act Committee that will elevate Defense Production Act policy

discussions to Cabinet-level consideration to advise the President and improve coordination among all agencies delegated Defense Production Act authority. The panel will report to Congress annually on its use of Defense Production Act authorities and provide recommendations for any improvements.

Over the years, Mr. Speaker, the Defense Production Act has been an important tool for meeting national defense and critical infrastructure needs such as mine-resistant vehicles for troops in Iraq and emergency supplies and services for Hurricane Katrina recovery on the domestic side.

I hope my colleagues will join me in voting for the Defense Production Act Reauthorization Act of 2009, S. 1677.

I reserve the balance of my time.

Mr. PAULSEN. I yield myself such time as I may consume. Mr. Speaker, I rise today also in strong support of S. 1677, the Defense Production Act Reauthorization of 2009, and ask for its immediate passage.

We deal with many important pieces of legislation in this Chamber, and there's one law that may seem a little bit more obscure—but enacting it is critically important to this country—and that's the Defense Production Act of 1950.

While not specifying the purchase of a single weapon system or a single sandbag, it does provide the orderly framework for interventions into the normal functioning of the economy when they are necessary to aid in national defense or in mitigating the results of some disaster.

Without this bill, Mr. Speaker, the government would not have been able to acquire on a timely basis special switching equipment to get trains running back into the gulf coast after Hurricane Katrina. We wouldn't have been able to quick-order new radio equipment before the first Gulf war to help soldiers from different countries working together in Desert Storm communicate with each other. And we would not have been able to ensure that domestic sources of production for some highly specialized defense equipment for which no company otherwise would see the economic case to produce was made available.

This bill before us, Mr. Speaker, authorizes the DPA for 5 years. It removes some archaic language in a text that is nearly 70 years old and reinstates some of its purposes without materially changing the authorities themselves.

It changes the way that the government notifies Congress in those specialized domestic production cases and conforms language in sections allowing loan guarantees to match other parts of Federal law.

The only real change is the creation of a new Cabinet secretary-level committee which will advise the President on the use of the DPA and to facilitate interagency communications on DPA issues, correcting lines of communica-

tion in the executive branch that have been identified for decades. This same committee would report annually to Congress on the use of the DPA with any recommendations for reforms so that we in Congress can keep those important powers current.

Mr. Speaker, as evidence of how valuable the Defense Production Act authorities can be, I would like to submit for the RECORD a story from yesterday's Washington Post that details the work by Army scientist Scott Schoenfeld, who developed some special lightweight armor to protect our troops in the Gulf from a new and deadly type of explosive device that was overcoming vehicles' existing armor plating.

The research was done at Aberdeen Proving Ground, but the expedited acquisition authorities in the DPA allowed the Army to secure an adequate supply of the new armor quickly, saving countless lives.

More recently, the Department of Defense has also used the DPA as an innovation tool to provide seed money to develop new technologies. One such instance is the development of radiation-hardened microelectronics, which are designed to withstand extremely harsh natural and manmade radiation environments.

A few years ago, Honeywell opened a production line devoted to this high-performance technology in my district. This project can be used to produce components for the most sensitive national security systems, and employs 425 highly educated and highly skilled workers in the exacting science of microelectronics in my district. This technology protects our Nation's most critical assets from nuclear and radiological damage and interference.

Mr. Speaker, I think it's important to note that the DPA does not itself specify the purchase of any weapon, but rather it is a framework to ensure that there is the least disruption possible to the economy when the government needs to step to the head of the production line to obtain material.

It's the jurisdiction of the Financial Services Committee to referee and minimize interferences in the economy while leaving departments such as Defense or Homeland Security or Transportation the actual use of the powers as they are delegated by the President.

I hope we have strong support for this important legislation.

[From the Washington Post, Sept. 22, 2009]
VEHICLE ARMOR RECOGNIZED IN ARMY AWARDS
(By Michael E. Ruane)

In the deadly contest last year between American experts trying to protect soldiers from roadside bombs and enemy technicians designing the lethal devices, Army scientist Scott E. Schoenfeld often pondered his adversary.

The enemy was fielding new so-called EFPs—explosively formed penetrators—that were so potent they were destroying even the most-heavily armored vehicles. As Schoenfeld and his colleagues at the Aberdeen Proving Ground studied captured explosives, the American, who has a PhD in ap-

plied mechanics, worried that his opponents might be much like himself.

Monday, in a sense, the latest round went to Schoenfeld. He and a team of Army experts were recognized for devising an "add on" lightweight armor kit that the Army said has proved resistant to the powerful EFPs.

Schoenfeld's work and the efforts of nine other programs deployed in the field last year were recognized as the Army's top inventions of 2008 by its Aberdeen-based Research, Development and Engineering Command. The 10 winners were selected by a panel of soldiers from 30 nominees, said spokesman Robert DiMichele.

"These are actually innovations that have been put into the field that soldiers are using right now," he said. "A lot of these are things that are really innovations that protect the soldier and save soldiers' lives."

One device was a special gauze bandage designed to stem arterial bleeding. Another was a steel roof to protect Humvee gunners from overhead fire. Another can detect sniper fire and allows a gunner in a vehicle to automatically aim at the source of the fire. Yet another can help detect radio emissions used to detonate makeshift bombs. And another was a kind of armored TV truck that can raise video and other sensing equipment mounted on a 30-foot mast to spot trouble nearby.

One of the most lifesaving programs was the add-on armor kit for the Army's mine and ambush resistant vehicles, which had become vulnerable to the penetrating roadside bombs. At Aberdeen, where thousands of captured roadside bombs have been studied, scientists were able to detonate powerful bombs and monitor how they worked.

Part of the solution was plastic armor made of high-density polyethylene fibers. "It's kind of an amazing process," Schoenfeld said Monday at the Hyatt Regency Hotel in Crystal City, where the recognition ceremony was held. "It's plastic, and the plastic is processed very heavily. It's drawn into fibers. The fibers are very high strength, and they're consolidated into composite panels. And they give very good ballistic performance."

Schoenfeld said the Army brought captured roadside bombs to Aberdeen and set them off to see how they worked.

"We tested . . . devices ourselves," he said. "We actually detonated many of them."

Experts measured the explosions with a host of sophisticated instruments, he said.

"We can do X-ray diagnostics, where we actually flash high-energy X-rays and make shadowgraphs of things that are coming off of the IEDs," he said, "so we understand the actual detail, of the penetrators that they form."

The scientists then study what they call "terminal effects," or what the explosive does to its target, and design armor to counter it.

Along the way, he said, the American experts think a lot about the designers of these bombs.

"We try and think, 'What would they do next?'" he said. "They have some expertise, and it's pretty obvious what it is. And you start understanding that. And you try and anticipate what else they might do."

"I'm worried that I might know" such an adversary, he said. "The scientific community is worldwide." He said such devices "very easily could have been" the work of someone like himself.

For now, though, the American scientists seem to have the upper hand.

"The rewarding part," Schoenfeld said, was getting back photographs of vehicles blasted by IEDs in which "people were not getting killed."

I reserve the balance of my time.

Mr. WATT. Mr. Speaker, I have no further requests for time on this important bill. I reserve the balance of my time.

Mr. PAULSEN. Mr. Speaker, just in closing, I yield myself such time as I may consume. This is a good, bipartisan bill. It was crafted by Senators DODD and SHELBY in consultation with Mr. WATT and Mr. BACHUS. It passed the Senate last week under unanimous consent.

Although we're in the middle of hurricane season and in a tough conflict in Afghanistan, these powers will expire at midnight 1 week from today if we do not reauthorize them. So I hope that all Members will support this legislation and send it to the President quickly so he can sign it.

I yield back the balance of my time.

Mr. WATT. Mr. Speaker, I yield myself such time as I may consume. I want to thank my colleague for his statement and especially remind my colleagues of the urgency of this matter, because this important authorization expires, unless we renew it, at the end of this month. So it's critically important that we pass this bill today.

In a democracy there's always a very delicate balance between taking the time to authorize things and delegating authority to an administration for emergency kinds of situations. I just want to assure my colleagues in the House that the Senate and the administration has scrubbed this bill vigorously to try to find the appropriate balance between giving the administration and folks other than those of us in Congress emergency authority to do things without allowing that authority to be abused.

We saw recently in the responses that the Federal Reserve had to take to the economic downturn last year and this year—we realized that there was some emergency authority in a remote 1933 bill that the Federal Reserve had to take certain steps. It made us a lot more aware of that delicate balance that we are always walking between giving Federal Government agencies the authority to act in emergency circumstances and going through the deliberative process that's needed for Congress to authorize these kind of emergency actions.

So our Financial Services Committee is very aware of walking that delicate balance and the necessity for doing so. And to the extent that this bill could be controversial, it would be in that area of what is that delicate balance. I think my colleagues need to be reassured that we have been very cognizant of walking that balance and trying to find the right levers to make sure that this authority can be used only in emergencies that everyone would recognize as an emergency and not be abused and used without appropriate checks and balances being exercised.

With that, I urge my colleagues to support this extremely important piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WATT) that the House suspend the rules and pass the bill, S. 1677.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SMALL BUSINESS ADMINISTRATION EXTENSION

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3614) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3614

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled “An Act to extend temporarily certain authorities of the Small Business Administration”, approved October 10, 2006 (Public Law 109-316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 111-43 (123 Stat. 1965), is amended by striking “September 30, 2009” each place it appears and inserting “October 31, 2009”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on September 29, 2009.

SEC. 2. BUSINESS STABILIZATION PROGRAM.

Section 506(c) of title V of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) is amended by striking “but shall not include” and all that follows through “enactment of this Act”.

SEC. 3. NEW MARKETS VENTURE CAPITAL COMPANY INVESTMENT LIMITATIONS.

Section 355 of the Small Business Investment Act of 1958 (15 U.S.C. 689d) is amended by adding at the end the following:

“(e) INVESTMENT LIMITATIONS.—A New Markets Venture Capital company that is receiving a grant under section 358 may not issue debentures guaranteed by the Administrator for any 1 company in an aggregate amount that is more than 10 percent of the sum of—

“(1) the private capital of the New Markets Venture Capital company; and

“(2) the total amount of leverage projected by the New Markets Venture Capital company in the business plan of the New Markets Venture Capital company in effect on the date on which the Administrator granted final approval to operate as a New Markets Venture Capital company under section 354(e).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members

have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume. The legislation before us will keep a number of vital programs at the Small Business Administration functioning. This will give us time to complete our work with the Senate and fully reauthorize these measures, which are critical for our Nation's entrepreneurs.

All of us recognize the importance of small businesses to our recovery. Since January, this Congress has taken several steps to help small firms. Entrepreneurs will see \$30 billion in new contracting opportunities from the Recovery Act.

□ 1045

The Recovery Act is expected to yield \$21 billion in new lending and investment for small firms. Since the Recovery Act passed, the SBA has approved \$7.3 billion in recovery loans and supported almost \$10 billion in small business lending. This extension will not only keep important programs at the SBA running; it will also make some important changes to improve access to capital for small firms.

The America's Recovery Capital program in the Recovery Act provides short-term capital for businesses. To date, the ARC loan program has helped 1,600 firms stay afloat with interest-free loans.

Currently, ARC loans cannot be used to pay down existing government-guaranteed debts. By letting businesses use ARC loans for that purpose, this bill will open the program to even more firms, regardless of their previous financing decisions. This will open up \$360 million in lending capital to help stressed small businesses that have 7(a) loans. Through the ARC program, these firms will receive nearly \$6,000 per month, allowing them to redirect their cash flow into sustaining their operations. The American Bankers Association and the Independent Community Bankers of America strongly support this provision.

As SBA implements this change, it should also revisit other areas where it can improve the program. A top priority for small businesses is always reducing their paperwork burden.

Mr. Speaker, this is the paperwork required to apply for an ARC loan, and it doesn't even include the documentation that a borrower must submit as part of their application. Clearly, applying for these loans is complex. The SBA should streamline its application and approval processes. Businesses that apply for these loans do so because they need a lifeline, now. The SBA should make the process fast and simple.

Another challenge at the agency is the projected default rates for the program, which directly affects the availability of capital. Unfortunately, the SBA assumed that businesses receiving ARC loans will default more than businesses impacted by Hurricane Katrina. That calculation doesn't make sense, and it has limited the loans' availability. By developing a subsidy model that better reflects reality, the SBA could ensure more funding goes to businesses instead of being held in reserve to cover defaults that probably won't happen.

Going forward, we need to ensure that the recovery reaches everybody, especially low-income communities. Obviously, these areas have been hit the hardest by the recession, but they also hold the highest potential for economic growth. An important program for accomplishing that goal is the New Market Venture Capital program. This program targets capital to the smallest businesses in economically depressed areas. However, until now the program limited the amount of capital an entrepreneur can obtain through New Market companies. This bill simplifies the limits so that more capital will flow to disadvantaged businesses. Helping these businesses promotes hope and opportunity in low-income areas and further fosters economic recovery.

Right now access to capital remains the biggest challenge facing small firms. Making this minor adjustments to the ARC program and the New Market initiative will improve access to capital for small businesses when they need it most.

In coming weeks, the committee will continue working to update the SBA's programs. In the meantime, this legislation extends these initiatives and makes two critical changes to help small businesses. I urge my colleagues to vote "yes."

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of the chairwoman's request to suspend the rules and pass H.R. 3614.

The bill is very simple. It extends the authorization of all programs authorized by the Small Business Act, the Small Business Investment Act, and any program operated by the Small Business Administration for which Congress has already appropriated the funds. The bill also makes a minor change to America's Recovery Capital, or ARC, loan program. This extension will last until October 31, 2009.

This extension is necessary because authorization for various programs operated by the SBA ceases on September 30, 2009. The committee has worked in a bipartisan fashion over the past two Congresses and reported out a number of bills to address programs operated by the SBA. Despite the efforts of the House, the extension passed earlier this year by both bodies of Congress is going to expire before the legislative process can run its course.

The work needed to help America's entrepreneurs revitalize the economy simply cannot be accomplished within the timeframe outlined in the current legislation. Without enactment of this extension, a number of vital programs that the SBA operates will cease to function. Given the importance that small businesses play and will continue to play in the revitalization of the American economy, we cannot allow the SBA authorization to run out.

This legislation also makes a minor change to the ARC loan program. When the ARC loan program was instituted, the Congressional Budget Office indicated that it would create a PAYGO issue should the ARC loans be available to businesses to pay down debt on a 7(a) loan. Accordingly, we stipulated that ARC loans could not be used in this manner. Recently, the CBO stated that allowing such an instance would not create these budgetary concerns and that it would be allowable for businesses to pay down debt on a 7(a) loan with ARC funds. This is a minor change that will enable small businesses with both an ARC loan and a 7(a) loan to use the funding they qualify for in a manner that suits them best, and I applaud this change and urge its adoption.

Enactment of this legislation will enable the House and Senate to continue to work in a diligent manner to address necessary changes to SBA programs. I urge all my colleagues to suspend the rules and pass H.R. 3614.

Mr. GRAVES. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of this bill, although I think it's critically important that we are honest about what this Congress is doing for small businesses, or perhaps it would be better to say not doing.

We can't survive when the economy is good without small businesses, and we sure as heck cannot recover without small businesses when the economy is bad. Yet despite programs Congress has authorized and extended, I hear every day from small businesses in and around my district that banks, even banks they've dealt with for many years, are now refusing to lend and continuing to refuse to lend.

I was extremely frustrated when the \$700 billion bank bailout did not free up bank funds for small businesses, and Americans were angrier still to find out that only 1 percent of the \$800 billion stimulus bill that the President signed was directed towards small businesses. But that actually pales in comparison to the frustration felt when we hear that the little bit of stimulus money that did go to SBA isn't flowing through to small businesses.

To put this into perspective, 4 months ago the SBA began a program to assist auto dealers in obtaining

floor-plan financing for their inventories. An SBA official estimated that 4,000 loans would be guaranteed by the government by October 1. As of the second week in September, only three, t-h-r-e-e, three, had been guaranteed and not a single one of those had closed.

Worse yet, Mr. Speaker, if we proceed with the proposed health care legislation in the House, 42 percent of small business income will face higher tax rates. This Congress and the Obama administration must address the fact that, as we have seen with the President's housing programs, even very strong incentives have not led to increased lending. Patting ourselves on the back for extending programs that don't work may feel good for a while, but it's not going to help the small business owners in any Member of Congress's district meet payroll.

Whether it's regulatory capital requirements or dealing with red tape to get the guarantees, the banks are not lending. That needs fixing immediately.

Instead of spending time recognizing the importance of wild horse adoption or congratulating sports teams, Congress needs to dig in and do the serious, urgent work that the people of America expect. That, Mr. Speaker, is our job.

Ms. VELÁZQUEZ. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES. Mr. Speaker, again, this is a very simple reauthorization.

I have no further requests for time, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, if our economy is going to recover, then America's entrepreneurs will need to lead the way. Many of the SBA's programs, which will help small businesses with specialized training or access to capital, need to be updated. That is why the House has passed bills to update the SBA's various programs and why they were approved with bipartisan support.

However, while we continue working with our Senate colleagues to finish these bills, we also need to give the SBA the authority to continue functioning.

The legislation before us will extend the SBA programs until the end of October. This provides the appropriate amount of time to continue our legislative work while keeping key services at the SBA up and running. Equally important, this bill makes two small, yet significant, changes to the ARC loan program and the New Markets Venture Capital program. These changes will further help small businesses access capital when they need it most.

This is a good bill for small businesses. I urge my colleagues to vote "yes."

Mr. WU. Mr. Speaker, I rise in support of H.R. 3614.

Small businesses grow our economy through innovation, and the SBIR and STTR

programs help companies develop cutting edge technologies for the government and for the private sector. However, the SBIR and STTR programs expire at the end of this month. H.R. 3614 temporarily extends the authorization of these programs while we work to finalize reauthorization efforts.

The House and Senate both passed legislation earlier this year to reauthorize these programs. We have been working to find common ground on areas we disagree on, and while we still have yet to reach a final agreement—we all have the same goal: to reauthorize important programs that drive small business.

As we work to get our economy back on track, small, high tech companies will play an important role creating good paying jobs. It is important that SBIR and STTR continue to provide critical funds for research at small businesses. It is also important that these programs reflect the innovation economy of 2009. I look forward to continue working with the House Small Business Committee and the Senate to reauthorize this program.

I urge my colleagues to support this bill.

Ms. VELÁZQUEZ. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 3614.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. VELÁZQUEZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXTENDING CONDOLENCES TO TAIWAN ON TYPHOON

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 733) expressing condolences to the people and government of the Republic of China (Taiwan) in the aftermath of the devastating typhoon that struck the central and southern regions of the island on August 8, 2009, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 733

Whereas Typhoon Morakot hit the island of Taiwan on August 8, 2009, dropping approximately 2.6 meters or 102 inches of rain, more than half the average annual rainfall in many places;

Whereas central and southern Taiwan were hardest hit by the storm;

Whereas mudslides overwhelmed some places in south Taiwan, including the village of Hsiaolin, where 247 homes were lost;

Whereas floods or mudslides damaged more than 191,936 homes;

Whereas infrastructure and farm losses alone have totaled approximately \$46,500,000 in Taiwanese dollars to date;

Whereas the devastation left by Typhoon Morakot is the worst the island has seen in 50 years;

Whereas as of late August 2009, the official death toll reached 602 with an additional 81 missing, where many of those are believed to be buried by mud in the village of Hsiaolin, which was almost completely covered in a mudslide triggered by several days of extremely heavy rainfall;

Whereas beginning on August 22, 2009, Taiwan held a three-day mourning period in memory of those who were killed in mudslides and floods after Typhoon Morakot;

Whereas the United States assisted efforts by providing Marine Corps C-130 aircraft from Marine Corps Air Station Futenma on Okinawa to deliver humanitarian relief supplies in addition to KC-130 aircraft and MH 53 and MH 60 helicopters from strategic United States bases located in Japan;

Whereas on March 24, 2009, the House of Representatives passed H. Con. Res. 55 to mark the 30th anniversary of the enactment of the Taiwan Relations Act (Public Law 96-8), codifying in law the basis for continued commercial, cultural, and other relations between the United States and the Republic of China (Taiwan); and

Whereas Taiwan has been a steadfast ally of the United States and a responsible and compassionate member of the world community: Now, therefore, be it

Resolved, That the House of Representatives—

(1) mourns the terrible loss of life caused by Typhoon Morakot that occurred on August 8, 2009, in Taiwan;

(2) expresses its deepest condolences to the families of the many victims;

(3) recognizes the deep ties between the United States and Taiwan and expresses continued solidarity with its people during this time of crisis; and

(4) expresses gratitude to the people of the United States who have generously supported those humanitarian aid agencies working to assist the people of Taiwan in this time of need.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

□ 1100

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

This resolution expresses condolences to the victims of the devastating typhoon that struck Taiwan on August 8, 2009. I would like to thank my good friend, Ms. ROS-LEHTINEN, for sponsoring this important resolution that allows the House to voice its support for Taiwan and its people.

Typhoon Morakot hit Taiwan on August 8 and deluged the island with over 8 feet of rain. The loss of life and destruction of property in the wake of

the typhoon has been devastating and is the worst that Taiwan has seen in 50 years. The central and southeastern parts of Taiwan were hardest hit by the storm, with floods and mudslides damaging almost 200,000 homes. The official death toll is over 600, and there are still 81 people missing.

The United States assisted recovery efforts in Taiwan by providing humanitarian relief supplies and heavy-lift helicopters to the disaster areas.

I want to extend my deepest condolences to all of the families that lost loved ones caused by the typhoon and to those who have lost their homes. The people of the United States stand in solidarity with the Taiwanese people as they undertake the painstaking process of recovery, and we stand ready to advocate further assistance for the recovery process if needed.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I also rise in strong support of this resolution addressing the recent natural disaster of typhoon winds and mudslides that struck Taiwan. This resolution expresses our sincere condolences to our Taiwanese friends who lost loved ones, homes, and businesses due to the devastation which struck the island on August 8. At least 602 people were killed, 81 others are missing, and over 190,000 homes were damaged or destroyed in the fury of the storm and in the aftermath of mudslides. Over 100 inches of rain turned streams into raging rivers which destroyed everything in their path. Whole villages were inundated by floodwaters and mud.

But, Mr. Speaker, the people of the United States feel those sympathies even more deeply today at a time when so many of our fellow Americans are suffering from tragic and deadly flooding in Georgia and Tennessee, and our deepest condolences go to our neighbors in the South.

On Taiwan, it is noteworthy that for the first time since official ties with Taiwan were severed in 1979, the United States dispatched humanitarian relief to the island to aid the victims of the typhoon. In response to this critical emergency for our Taiwan friends, the U.S. Marine Corps, based in Okinawa, sent two C-130s to southern Taiwan to deliver relief supplies. The amphibious transport ship USS *Denver* was also dispatched to the area and provided helicopters to engage in humanitarian operations as well. Thus, these deeply tragic circumstances served as a means to demonstrate the enduring, the unbreakable ties which exist between the people of the United States and the people of Taiwan.

In this 30th anniversary year of the Taiwan Relations Act, Mr. Speaker, the United States can do no less than to continue to aid the people of Taiwan in their hour of need. I urge all of my

colleagues to join us in vigorous support of this timely and heartfelt resolution.

Mr. Speaker, with that, I yield such time as he may consume to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. I thank my dear friend, Ms. ROS-LEHTINEN, and also Ms. WATSON. And I would like to thank my distinguished cochairman of the Taiwan Congressional Caucus, Dr. GINGREY, for introducing this very timely resolution. I see Ms. BERKLEY here also, the other cochairman, along with Mr. WEXLER.

We hold very deep in our hearts our relationship, the United States' relationship with the Republic of China. The people of the Republic of China, Taiwan, have suffered tremendously due to this horrible typhoon. As Ms. ROS-LEHTINEN pointed out, from our military base in Japan, the United States Armed Forces, representing the people of the United States, took humanitarian assistance to the Republic of China, Taiwan. We will always, in this Congress, stand with our friends, our allies. We have no better friend than the people of the Republic of China, Taiwan.

So we take this opportunity, as our hearts go out here to the victims of the flooding in Georgia and the United States, to remember the victims of the horrible flooding in the typhoon of August on the island of Taiwan, and we reaffirm our friendship and solidarity with the people of the Republic of China, Taiwan.

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Ms. WATSON. Mr. Speaker, I would like to thank the gentleman from Georgia (Mr. GINGREY) for sponsoring this resolution, and I yield 2 minutes to the gentlewoman from Las Vegas, Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, I thank the gentlelady from California for yielding me this time, and I thank my colleague from Georgia (Mr. GINGREY) for his leadership on this issue.

Mr. Speaker, I rise today as cochairman of the Congressional Taiwan Caucus and in support of this resolution and in support of the people of Taiwan. It was a horrific and frightening thing to see the devastation that the typhoon wrought on Taiwan; over 600 dead, scores missing, and so many thousands hurt. Nearly 200,000 homes and businesses were damaged or destroyed. We mourn these losses and send our deepest condolences to the people and Government of Taiwan.

At the same time, I am so proud of the United States of America, the fact that we sent timely aid and helicopters to help our friends in their recovery efforts. While the Taiwanese people are strong, certainly strong enough to recover completely on their own, I hope that as a friend of Taiwan, we will continue to show our support for them and help them through this difficult time.

Taiwan is an important trade partner, fellow democracy, and a strong

U.S. ally in a very volatile region of the world. It is my sincere hope that our two democracies, that our two countries, will continue to have a close and strong relationship for many years to come through the good times and the bad. This certainly is as bad as it gets, but it will get better.

Ms. ROS-LEHTINEN. Mr. Speaker, I am very pleased to yield 5 minutes to the gentleman from Georgia (Mr. GINGREY), the author of this important resolution.

Mr. GINGREY of Georgia. Mr. Speaker, I thank Ranking Member ROS-LEHTINEN for yielding me this time, and I rise in strong support of H. Res. 733, expressing condolences to the people and the Government of the Republic of China, Taiwan, in the aftermath of Typhoon Morakot, which struck the central and southern region of the island on August 8, 2009.

Additionally, I want to thank Chairman BERMAN, Representative WATSON, Ranking Member ROS-LEHTINEN, and the House Foreign Affairs Committee for helping to bring this resolution to the floor today. As one of the four co-Chairs of the Taiwan Caucus, I want to express my gratitude to my fellow co-Chairs, Representatives SHELLEY BERKLEY, LINCOLN DIAZ-BALART, and ROBERT WEXLER, as well as RSC Chairman TOM PRICE for helping to marshal support for this resolution.

Natural disasters like Typhoon Morakot are never respectful of persons or nations. Their devastation knows no political boundaries nor social divisions. In fact, as we debate this resolution, my mind cannot help but turn to my own home State of Georgia where historic rains and flooding have claimed the lives of 10, at the latest count, and caused hundreds of millions of dollars of damage while ravaging many communities in my district; in fact, four counties. So, Mr. Speaker, I rise not only with a sympathetic heart, but also with an empathetic heart for the people of Taiwan as they move forward after Typhoon Morakot caused flooding and mudslides that have claimed the lives of over 600,000 people and created billions of dollars of damage.

While this resolution expresses condolences to the victims' families and mourns the loss of life, it also honors our Nation's deep ties and dedication to Taiwan. This dedication was reflected in the relief efforts provided by the U.S. military through helicopter and airlift support.

Mr. Speaker, this past March, this House spoke in one voice with the passage of H. Con. Res. 55 that marked the 30th anniversary of the Taiwan Relations Act. It reinforced our Nation's deep-seated commitment to Taiwan and the defense of Taiwan.

This resolution is another demonstration of that commitment and an expression of our sorrow for Taiwan's loss. My thoughts and prayers continue to go out to the people of Taiwan, as well as to the people of my home State

as these waters begin to recede and its families and communities begin to put their lives back together.

Mr. Speaker, I urge all of my colleagues to support this resolution.

Ms. WATSON. Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I am very pleased to yield such time as he may consume to the gentleman from California (Mr. ROYCE), the ranking member of the Subcommittee on Terrorism, Nonproliferation and Trade.

Mr. ROYCE. Mr. Speaker, I rise in support of this resolution. What this resolution does is to express the condolences on our part to the people and Government of the Republic of China, Taiwan, in the aftermath of this very devastating typhoon that struck this region and that affected so many families.

Last month this typhoon ripped through South Asia, and it drowned that region in about 7 feet of rain. It killed over 600 people. Government officials called it the worst storm that has hit the island of Taiwan in over 50 years.

Later today, this House of Representatives is going to take up a resolution expressing condolences to the families of the individuals killed during the storms and floods in the State of Georgia. So we know all too well that these storms can be devastating, and so it is with sorrow that we take up these two resolutions today.

I rise today to express my heartfelt condolences, especially because Taiwan and the United States have such a valued partnership. For over half a century, this close relationship has brought significant economic advantages, I think, as well as cultural and political advantages to the people of Taiwan and the United States. We have seen in mere decades Taiwan go from poverty to prosperity; and, of course, with the Taiwan Relations Act, Taiwan will remain a close ally of the United States. It is a country, one of the few, that has gone from U.S. aid recipient to international provider of aid across the globe. Without question, Taiwan is one of our key partners in Asia.

So again, we express our sincerest condolences to the people of Taiwan. This devastating typhoon may have ravaged the landscape and infrastructure, but it didn't rattle their will and determination.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of House Resolution 733, which expresses condolences to the people of Taiwan who suffered so much as a result of the devastating typhoon that struck the island last month.

I visited Taiwan on August 20–22, 2009 as member of a congressional delegation led by the Honorable HOWARD BERMAN, chairman of the House Foreign Affairs Committee. At the time of our visit, Taiwan remained in the early stages of its response to typhoon Morakot, and the extent of the loss of life and damage done had yet to be fully determined. As we now know, Morakot was the deadliest typhoon to strike Taiwan ever recorded. Extreme

amounts of rain from the typhoon triggered enormous mudslides and severe flooding throughout southern Taiwan. In perhaps the worst single tragedy, one of those mudslides buried the entire town of Xiaolin, killing more than 500 people.

Fortunately, during our brief visit to Taipei, all of us in the congressional delegation had a chance to express our personal condolences to the people of Taiwan while in meetings with President Ma Ying-jeou, Foreign Minister Francisco H.L. Ou, and Legislative Yuan President Wang Jin-pyng. With this resolution, now all Members of the House—on behalf of the people and government of the United States—will have a chance to extend their sincerest condolences as well.

As the resolution notes, and as we were told while in Taiwan, the United States was able to provide aircraft, helicopters, and other forms of assistance to speed the recovery efforts. And as we found out, one of the important factors enabling our swift and robust response was President Ma's success in working to reduce tensions across the Taiwan Straits.

Taiwan expects the hard work of repair and reconstruction will continue for the next 3 years. But our friends in Taiwan should know that the United States and the American people understand their suffering and stand ready to continue assisting them as they repair the devastation wrought by the typhoon. For this reason, I urge my colleagues to support H. Res. 733.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 733, which expresses condolences to the people and government of the Republic of China, Taiwan, in the aftermath of the devastating typhoon that struck the central and southern regions of the island on August 8, 2009. I support this resolution because natural disasters know no boundaries and the tragedy that befell Taiwan appeals to our common humanity.

After Typhoon Morakot landed on Taiwan at midnight on August 8 of this year, it dropped over 100 inches of rain on the island. To put that number in perspective, 100 inches is more than half the average annual rainfall of many places on the island. The torrential rain caused massive mudslides and floods, destroying roads, farms, businesses, and homes. This typhoon was the wettest in the history of Taiwan.

Typhoon Morakot was particularly devastating in central and southern Taiwan. The world watched in horror as the reports came in. In the southern village of Hsiaolin, mudslides had destroyed almost all of the roughly 250 homes in the village, stranded thousands, and buried almost 400 people alive. A rescue helicopter trying to reach villagers stranded in the mountains crashed, killing all three crew members. In all, estimates have put the devastation to infrastructure and farms totaling more than \$46 billion and the national death toll over 600. A tragedy of that magnitude traumatized Taiwan and required an official period of 3 days to mourn the lost. This typhoon was the deadliest in Taiwan's history.

I applaud the effort of the United States to help with the relief effort. The U.S. gave humanitarian assistance by providing military aircraft, planes and helicopters, to deliver relief supplies on the island. Our service men and women performed their job admirably and I am thankful for their solid performance.

I would like for the people of Taiwan to know how very sorry we are that they have experienced this tragedy. Having witnessed first-hand the devastation brought by Hurricane Ike on my own district in Houston, Texas, and the surrounding areas, I know how a terrible natural disaster such as a typhoon can cause deep anguish. Moreover, from our experience witnessing Hurricane Katrina and its aftermath, we know how the horror of weather-related devastation can scar a nation. My heart goes out to the families and the people of Taiwan.

Mr. WU. Mr. Speaker, I rise today to express my support for House Resolution 733 and to convey my deepest sympathies and sincerest wishes to the people of Taiwan who have been affected by Typhoon Morakot. I especially want to give my condolences to the families of the more than 600 people who died in this devastating storm, particularly those who perished in the mudslide in Hsiaolin village.

I wish the people of Taiwan well as they work to rebuild and recover from the worst typhoon to hit the island in 50 years. I am confident that the Taiwanese people will continue to come together to help those in need.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

Ms. WATSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 733, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The title was amended so as to read: "A resolution expressing condolences to the people and Government of Taiwan in the aftermath of the devastating typhoon that struck the central and southern regions of the island on August 8, 2009."

A motion to reconsider was laid on the table.

REAUTHORIZING RADIO FREE ASIA

Ms. WATSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3593) to amend the United States International Broadcasting Act of 1994 to extend by one year the operation of Radio Free Asia, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3593

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ONE YEAR EXTENSION OF OPERATION OF RADIO FREE ASIA.

Section 309(f) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208(f)) is amended by striking "2009" and inserting "2010".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gen-

tlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

□ 1115

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. Mr. Speaker, Radio Free Asia provides timely, accurate and useful news and information to countries whose leadership prohibits access to truly free media. Listeners in China, Tibet, Vietnam, Laos, North Korea and Burma can learn about what is happening in their own countries and in their own languages and dialects through professional and objective reporting and discussion programs on RFA.

RFA's performance is impressive in parts of the world where governments make independent broadcasting difficult or even impossible. It is one of our most dynamic surrogate broadcasters.

RFA uses well-established means of information dissemination, such as shortwave transmissions and hand-cranked radios, that are spirited to listeners who are otherwise entirely cut off from the world. It also makes use of modern media technologies such as live streaming over the Internet in regions where access to computers is relatively common but where governments place controls on news reporting. The listener feedback to these programs by e-mail and during call-in talk shows is very impressive. It provides a credible window on the pervasiveness of corruption and autocracy.

I think most of us agree that it is useful to continue operating RFA, as it serves to help maintain freedom of information overseas as well as promoting better understanding of United States values such as democracy.

The legislation before us, offered by the gentleman from California (Mr. ROYCE) would reauthorize RFA to continue its operations for the next fiscal year. I strongly urge all of our colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also rise in support of H.R. 3593. I want to thank my good friend from California (Mr. ROYCE), the ranking member of the Subcommittee on Terrorism, Nonproliferation, and Trade, for introducing this measure.

Thirteen years ago next week, on September 29, 1996, Radio Free Asia first went on the air with a Mandarin language broadcast into China. Today,

RFA broadcasts into China, Tibet, North Korea, Vietnam, Cambodia, Laos and Burma in nine local languages and dialects. It provides timely, objective news to people who are denied the benefit of a free press in their own homeland.

Not only did Congress create and fund that surrogate broadcasting service, we also urged RFA to increase its transmissions to particularly vulnerable populations, such as the people of North Korea, as we did in the North Korea Human Rights Act of 2004 and last year's reauthorization of that law. We are proud and supportive of the good work that Radio Free Asia continues to do.

While the authorization of appropriations for RFA was previously extended, it appears that the statutory section detailing RFA's grant-making authority was inadvertently omitted from that reauthorization, leaving it to expire at the end of this month. Therefore, we have this one-sentence bill before us today to correct that oversight. In the time when we see bills of over 1,000 pages in length which many have not read, it is wonderful to see a very simple bill, a brief bill, but a very important bill.

Both Republican and Democrat versions of The Foreign Relations Authorization Act introduced in this Congress include a provision that would remove the sunset of RFA authority, making it permanent. I look forward to working toward a long-term reauthorization of the RFA on a bipartisan basis during the year ahead. I urge support for this measure.

Mr. Speaker, I yield such time as he may consume to the author of this legislation and the individual behind the United States' international broadcasting of Radio Free Asia, Mr. ROYCE of California.

Mr. ROYCE. Mr. Speaker, I appreciate that. I rise in support of this bill. I just want to take a moment here to thank Chairman BERMAN and also Ranking Member ROS-LEHTINEN for their assistance in moving this bill so expeditiously to the floor. There is a timing issue here. We need to pass this out soon, and this, of course, will allow us to broadcast for an additional year. September 30 is the day on which this authority will expire. I wish we could do more. I do.

Earlier this year, as you know, Chairman BERMAN passed a State Department authorization bill out of this House that would have established permanent authority for RFA. The other body, the Senate, has yet to take up this legislation. We wish they would.

We can debate the merits of a long-term extension versus sunset repeal, but there is one thing certain in all of this, and that is that the target countries that we broadcast into, countries like North Korea and China, like Burma and Vietnam, they give no indication of allowing a free local press any time soon.

At a practical level, I understand that RFA's sunset restriction has ham-

pered RFA's operations. It hampers the ability to go out and hire, obviously, on a permanent basis. You can't negotiate a lease or capital improvements and so forth. So it is important that we address this issue.

I think it is important that we focus on the success of Radio Free Europe-Radio Liberty and Radio Free Asia. Radio Free Asia was founded in 1996, and it attempts to replicate what RFERL did in Eastern Europe. Its mission is to act as a surrogate news service, performing as a free press would if it was allowed to operate in any of these countries. Quite simply, its broadcasts are devoted to the enlightenment of people, to letting people know what is actually happening in their country and around the world.

My interest in these broadcasts stems from a trip I took to Dresden, East Germany, years ago, where a man told me about the damage that these broadcasts were inflicting on Soviet tyranny and shared with me the effect that they seemed to be having, an effect without firing a shot, an effect in which the world was changed without the loss of a human life.

Surrogate broadcasts, mainly radio but increasingly these new media, provide people with the news and information about their countries that otherwise they couldn't possibly obtain. As one observer has noted, this type of broadcasting irritates authoritarian regimes. It inspires democracies. It creates greater space for civil society. Yes, it does. It does change societies.

Irritate totalitarian regimes? Yes, that has happened. China has attempted to erect a "great wall of sound" to block RFA transmissions. They are not successful, but they block some of them. Vietnam has heavily jammed RFA since the first days of the broadcast. You may not be able to get it inside the capital, but you can get it in the countryside.

We know what news these Communist regimes are afraid of. In North Korea, broadcasting such as this is one of the only sources chipping away at Pyongyang's propaganda machine. When I talk to defectors out of North Korea, as often as not they have listened to these broadcasts, especially the senior civil servicemembers. And military members who defect tell about how it changed their view of the world.

All around the globe, an information war is at play. Iran is spending heavily to block our broadcasting, while beaming its own message into Afghanistan and even the Balkans to sow division. Russia is broadcasting into southeastern Europe as well. Hugo Chavez is crippling local media while bolstering Venezuela's state broadcasts around Latin America, and he is preaching anti-Americanism with those broadcasts. Then there are the 150 sharia-friendly radio broadcasts in Pakistan's Swat Valley. Those are the broadcasts that the Taliban are making in Afghanistan and in northwest Pakistan.

So, from Caracas to Tehran to Pyongyang, these totalitarian regimes understand that controlling information is central to their being. Radio Free Asia is one of our pieces on this chess board.

I look forward to the passage of this legislation and to working with the chairman and ranking member to seek a more important standing for this critical organization.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of H.R. 3593, which amends the United States International Broadcasting Act of 1994 to extend for an additional year the grant-making authority of the Broadcasting Board of Governors regarding Radio Free Asia (RFA). Without this legislation, that grant-making authority will expire this week, putting the important services of RFA at risk.

The U.S. International Broadcasting Act of 1994 called for RFA to engage in "the continuation of existing U.S. international broadcasting, and the creation of a new broadcasting service to people of the . . . countries of Asia, which lack adequate sources of free information and ideas [to] enhance the promotion of information and ideas." Reflecting its mandate, Radio Free Asia describes its mission as providing "accurate and timely news and information to Asian countries whose governments prohibit access to a free press." One of RFA's ultimate aims is "to serve as a model on which others may shape their own emerging journalistic traditions."

Guided by its core principles of freedom of expression and opinion, RFA has provided domestic news and information to its listeners since 1996. Each RFA broadcast—in nine different languages—is distinctive as each reflects the unique culture and preferences of its listeners.

As a result of its rigorous journalistic standards and hard work, RFA has won numerous honors. This year, for example, Radio Free Asia was named Broadcaster of the Year by the prestigious New York Festivals Radio Programming and Promotions Awards.

That recognition is well deserved as Radio Free Asia is an important voice for millions of listeners, and this legislation will ensure that RFA's voice will be heard for another 12 months. For this reason, I urge my colleagues to support H.R. 3593.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. WATSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and pass the bill, H.R. 3593.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REAFFIRMING THE HISTORIC TIES BETWEEN THE UNITED STATES AND THE NETHERLANDS

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 178) expressing the sense of the Congress that

we honor, commemorate and celebrate the historic ties of the United States and the Netherlands by recognizing the Quadricentennial celebration of the discovery of the Hudson River and the settlement and enduring values of New Netherland which permeate American society up until today, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 178

Whereas the Netherlands and the United States are two countries united by shared values and historic ties;

Whereas 2009 marks the Quadricentennial year that Henry Hudson captained the ship "Halve Maen" under the auspices of the Dutch East India Company and discovered the Hudson River;

Whereas the discovery of that river and its fertile lands gave rise to the establishment of the New Netherland settlement and the ensuing positive relations between the Netherlands and America;

Whereas the Netherlands was the first country to salute the U.S. flag in 1776 at St. Eustatius;

Whereas the drafters of the Declaration of Independence were influenced by the Dutch Constitution;

Whereas the Netherlands has remained a friend and staunch ally of the United States, from providing necessary loans during the Revolutionary War to standing shoulder-to-shoulder in Afghanistan in defense of democratic values, protection of human rights and promotion of the rule of law;

Whereas the New Netherland settlement left a legacy of values such as open-mindedness, entrepreneurship, democracy, tolerance and hard work, as well as freedom of religion and speech;

Whereas the bonds of free trade, open markets and commerce have continuously linked the Dutch and the Americans to such an extent that the Netherlands remains among the top four foreign investors in the U.S.;

Whereas the Netherlands provided immediate assistance in the aftermath of Hurricane Katrina and continues today by sharing expertise in water management that will help rebuild New Orleans and its levees; and

Whereas the heritage of 400 years of friendship between the Netherlands and the United States is a laudable example and should be properly extolled: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that we reaffirm the historic ties and friendship between the United States and the Netherlands by recognizing the Quadricentennial celebration of the discovery of the Hudson River and honoring the enduring values of the settlers of New Netherland that continue to permeate American society.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the concurrent resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. Mr. Speaker, I rise in strong support of this resolution, and yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Maryland (Mr. VAN HOLLEN) for introducing this resolution marking the 400th anniversary of Henry Hudson's voyage up the river that now bears his name. Hudson and his crew of 20 Dutch and English sailors got as far as present day Albany before concluding that the river was unlikely to take him to India.

Though his voyage may not have led to the discovery of the Northwest Passage, Henry Hudson and the Dutch East India Company planted the seeds for the establishment of the New Netherland settlement and four centuries of American-Dutch relations. The legacy of New Netherland is plainly evident in the values such as tolerance, entrepreneurship and freedom of speech and religion which we hold so dear. This was echoed by Benjamin Franklin when he wrote, "In love of liberty and in the defense of it, Holland has been our example."

From our partnership in NATO to our immense trade and investment links, the bonds of friendship between our two countries today remain just as strong as when the Netherlands became the first European country to grant diplomatic recognition to the United States.

So I urge my colleagues to join me on this important anniversary by supporting this resolution and recognizing the historic ties of the United States and the Netherlands.

Mr. Speaker, I reserve the balance of my time.

□ 1130

Ms. ROS-LEHTINEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. HOEKSTRA), a cosponsor of this measure and the ranking member of the Select Committee on Intelligence who obviously has deep roots, having been born in the Netherlands.

Mr. HOEKSTRA. I thank my colleague for yielding. I also would like to express my appreciation to Representative VAN HOLLEN for working together to develop this resolution and to now move it forward on the House floor.

This honors the 400 years of friendship, a unique friendship, between the Dutch and the Americans, between the Netherlands and the United States of America. In 1609, the Dutch ship the *Halve Maen*, commanded by Henry Hudson, arrived in New York. That really started a phenomenal friendship, a friendship that has gone uninterrupted for over 400 years. We share so many things. We share values, freedom, tolerance, pursuit of happiness. We share a strong military relationship, and we've developed an immense economic bond between the two countries.

The Netherlands continues to be the fourth-largest investor in the United States. They also trade in the range of \$73 billion per year with the United States of America. In 2008, the United States exported over \$40 billion worth of products to the Netherlands. In manufacturing and finance, the Netherlands is the fourth largest investor to our country. But I think more importantly, this opportunity now in 2009 is to recognize this very, very unique relationship. Think about it; 400 years of continuous friendship during which the world has gone through one crisis after another. But there has been one thing that has been constant, and that is the commitment of America and the Netherlands to work through the differences that we have had and to always find a common bond and to always focus on those things that recognize that we have much more in common than what separates us, and that we have used these 400 years to build, to develop and to strengthen this relationship.

So it's very appropriate that this resolution come to the House floor today, that this body will recognize this unique relationship and that this body will recognize it and encourage it and say that, you know, maybe we can go forward for another 400 years. I thank my colleagues for bringing this resolution to the floor, and I encourage all of my colleagues on the House floor to vote in favor of this resolution.

Ms. WATSON. Mr. Speaker, I proudly yield 5 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. I want to express my deep gratitude and appreciation for the initiation of this quadricentennial celebration of the discovery of the Hudson River by a vessel which was directed by the Netherlands after hiring a British captain by the name of Henry Hudson. It is a remarkable event. The 400 years of our direct relationship with the Netherlands is something upon which we need to be most recognizing and deeply grateful.

If you look back at the history, you see in the 1600s and even earlier how the Netherlands had become one of the most open and democratic places anywhere on this planet, how the population of that country had been so integrated and so involved with people from various places around Europe but also outside of the continent, including Africa. The discovery of the Hudson River was made by the Half Moon, led by Henry Hudson—the river now bearing his name—and the ensuing settlement of the southern part of Manhattan, how that settlement came about was so similar to the way in which the Netherlands was organized back then. That settlement, again, brought in people from all over Europe and elsewhere, including Africa as well. The integration of that settlement, the diversity of that settlement led, in many ways, to the diversity and deep understanding of the growing United States of America.

We owe the Netherlands a great honor and recognition for all that they

have done. The celebration of our relationship has been going on for a long time in a very interesting way. During the 350th anniversary celebration, the Queen of the Netherlands came to the United States and spent a good deal of time here. Of course while she was here, she was highly recognized and deeply appreciated for spending time here and engaging in that 350th celebration back in 1959. Last April I had the opportunity to meet her again and to spend some time with her in Amsterdam and to deeply appreciate all the leadership that she has provided and all the others have provided that have had such a beneficial effect on the United States of America.

This quadricentennial celebration now is going on, and it is being recognized and appreciated throughout all of New York State and many other places across our country. The Prince of the Netherlands is here, and he is engaging with us in this celebration. Again, in the context of this celebration, one of the most important things for us to remember and recognize and express a great deal of appreciation for is the influence that the Netherlands has had on the development of this country, the way in which it was settled, how lower Manhattan and New York State became the most diversely populated place on this continent and, in many ways, it still is. The initiation of that came about as a result of the exemplary way in which the Netherlands conducted its organization, its leadership, its integration, its openness. We owe them a great deal, and we express that deep gratitude to them in many ways, but particularly in the context of this quadricentennial celebration, recognizing this wonderful 400-year history of the Hudson River and the very positive contributions that that made to the settlement of the city of New York and the openness of our country.

Again, I express my appreciation to the Queen of the Netherlands, to the Prince who was here and to the exemplary way in which Amsterdam and the Netherlands have opened up their examples and led us in a very, very positive way, and that relationship continues today. I express my deep appreciation to the sponsor of this legislation. I'm very happy to participate in this event.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself as much time as I may consume.

The United States and the Netherlands are strong allies. The roots of our close relationship stretch back for more than 100 years before our Nation's independence. In September of 1609, Henry Hudson explored a vast river and territory in what is now New York State while on an expedition for the Dutch East India Company. On his return from that expedition, Hudson wrote such glowing reports on the promise of the lands that he had discovered that Dutch citizens were inspired to cross the Atlantic and establish the New Netherland settlement.

The values of those early Dutch settlers—values of entrepreneurship, democracy, tolerance and hard work—continue to influence our society today 400 years later.

The friendship between the young United States of America and the Netherlands was tested when America was on the brink of bankruptcy due to the financial cost incurred in its fight for independence and reached out to the Netherlands for financial support. Ultimately, the Dutch provided the United States with a loan that proved vital to ensuring the survival of our young Nation. Subsequently, in another strong sign of friendship, the Netherlands was the first European country to diplomatically recognize the new United States of America.

Many of us have grown up with the story of brave young Hans Brinker who saved the people of the Netherlands by sticking his finger in the dam to prevent a devastating flood. Well, what many people don't know is that this story was actually made famous in 1865 by American author Mary Mapes Dodge to illustrate for American children the characteristic values of bravery, resourcefulness and self-sacrifice, associated with the people of the Netherlands. In this story, Hans Brinker stood alone. However, the history of the Dutch-American relationship demonstrates our commitment that should either be in need, the other will stand by them. This commitment has truly been in evidence whenever the Dutch and Americans have fought side by side through the second World War, the Korean War, the Gulf Wars, and numerous other global efforts. Today we're working together in Afghanistan and in Iraq to prevent extremists from unleashing devastating violence against the people of those countries and our own.

I am pleased to support this resolution today, which marks the 400th anniversary of the discovery of the Hudson River and the beginning of the deep and lasting friendship between the Netherlands and the United States of America.

Mr. VAN HOLLEN. Mr. Speaker, I thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their efforts in bringing this resolution to the floor today. Also I want to thank the committee staffs, in particular Rick Kessler and Amanda Sloat for their efforts.

I am very proud to be a Co-chair of the Congressional Dutch Caucus with my colleague PETE HOEKSTRA of Michigan with whom I have worked on a bipartisan basis to further strengthen relations between the U.S. and the Netherlands. I am also very pleased to join with him in introducing this resolution.

This year we celebrate the quadricentennial of American and Dutch relations. Four hundred years ago, the Dutch ship, the *Half Moon*, sailed up the Hudson River. In 1776, when Dutch cannons at Fort Orange on the Caribbean island of Saint Eustace saluted visiting American warships, The Netherlands became the first nation to recognize the newly born United States of America. Over the last 400 years, our people have built an enduring and productive cultural, commercial, and strategic partnership.

The fruits of that partnership and the contributions made by Dutch Americans to the culture, prosperity, and security of this country are well known.

The Dutch helped settle and found New Amsterdam, Brooklyn, and Harlem. Their descendants rose to be Presidents of the United States and to build the great fortunes that helped America attain its stature as the most prosperous and powerful Nation this world has ever known. And it is widely recognized that Thomas Jefferson used the Dutch Declaration of Independence of 1689 as a guide when writing the American Declaration of Independence.

On issues of security, Dutch and American troops have stood "shoulder to shoulder" in combat and have partnered in global peacekeeping and stabilization efforts in Yugoslavia, Kosovo, Iraq, and Afghanistan.

The close cooperation and free and open communication resulting from our ties have strengthened our ability to confront with confidence the major challenges that the world faces today. Not only the stubborn, enduring challenges such as the unresolved crisis in Darfur or the efforts to establish a lasting peace in the Middle East, but also the warming of the planet and the ongoing threat of international terrorism. In the days and years ahead, the close historical bonds between the Dutch and Americans will be called upon to address these and other global challenges. Our continued cooperation will be key to our success.

The strength of our alliance and the endurance of our friendship have made both our countries stronger and the world more secure. I stand proudly today to honor and celebrate that friendship on the occasion of its 400th anniversary.

Ms. ROS-LEHTINEN. Mr. Speaker, having no further requests for time, I yield back the balance of my time.

Ms. WATSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 178, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The title was amended so as to read: "Concurrent resolution expressing the sense of Congress that we reaffirm the historic ties between the United States and the Netherlands by recognizing the Quadricentennial celebration of the discovery of the Hudson River and honoring the enduring values of the settlers of New Netherland that continue to permeate American society."

A motion to reconsider was laid on the table.

REAUTHORIZING UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

Ms. WATSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2131) to amend the Foreign Affairs Reform and Restructuring Act of

1998 to reauthorize the United States Advisory Commission on Public Diplomacy, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2131

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REAUTHORIZATION OF UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) is amended by striking "October 1, 2009" and inserting "October 1, 2010".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentleman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. This legislation would extend by 1 year the mandate of the U.S. Advisory Commission on Public Diplomacy, a bipartisan panel created by Congress and appointed by the President that reports on the public diplomacy work of the State Department, the Broadcasting Board of Governors, and other United States Government agencies. The commission reports its findings and recommendations to the President, Congress and the Secretary of State. Its products provide a window into what works and what does not work in our public diplomacy efforts.

For example, the commission's 2008 report on the human resource dimension of public diplomacy has been used as a guide by both Congress and the new administration on ways that the recruitment and training of public diplomacy staff at the State Department can and should be improved.

Mr. Speaker, the United States Advisory Commission on Public Diplomacy serves a very useful purpose. We should reauthorize it for another year of operation, and I strongly urge my colleagues to support this legislation to do just that.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of H.R. 2131, introduced by my good friend Ambassador Watson. In terms of commerce, culture, military power, and just about any other field of human endeavor, our Nation is a key actor in the complex world of the 21st century. Sometimes, however, our goals and our intentions

are misunderstood or are deliberately misinterpreted by those who mean us harm. People cannot fully understand American interests without understanding American ideals, economic and personal freedom, democracy and human rights; and people will not fully grasp those American ideals without having a sense of the diverse genius of the American people whose resolve, good will and generosity constitute the true heart of our Nation. We cannot take that knowledge for granted, Mr. Speaker. Showing the true face of America to the people of the world is the lofty aim of our U.S. public diplomacy efforts.

In the wrenching aftermath of the Second World War, Congress created the United States Advisory Commission on Public Diplomacy in 1948.

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According to its current charter, the Commission "appraises U.S. Government activities intended to understand, inform and influence foreign publics."

For example, just last year, the Commission issued a 36-page report critiquing and making recommendations for personnel practices of the current Public Diplomacy bureaucracy in areas such as recruitment, training and integration into broader State Department operations.

This short bill before us today will keep the Commission's legislative authorization from expiring at the end of this month. This will give the Foreign Affairs Committee and this Congress another year to assess the work and the efficacy of the Commission and its relationship with our broader Public Diplomacy apparatus before undertaking a more comprehensive, longer-term reform effort.

I would like to again thank my colleague from California, Ambassador Watson, for introducing this measure, and I support its adoption by this House.

Mr. Speaker, I have no further requests for time, so I yield back the balance of my time.

Ms. WATSON. Mr. Speaker, I have no further requests for time. I certainly thank the young lady.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of H.R. 2131, which amends the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy through September 30, 2010.

The Advisory Commission is a bipartisan panel created by Congress and appointed by the President to formulate and recommend to the President, the Secretary of State, and Members of Congress policies and programs to carry out public diplomacy of the U.S. Government, and to assess the effectiveness of ongoing public diplomacy activities. Such programs and activities constitute our effort to understand, inform and influence foreign publics in support of U.S. foreign policy objectives.

Public diplomacy has never been more important to the security of our nation than it is today. Fortunately, President Obama enjoys a

wellspring of support overseas, offering the United States a chance to repair its image. According to a new survey released on September 9, 2009 by the German Marshall Fund of the United States, for example, European support for President Barack Obama's handling of foreign policy is currently at 77 percent, four times greater than that of George W. Bush when he left office. In the Asia Pacific region and throughout the rest of the world, support rates for our new President have climbed at similarly dramatic rates.

Yet, the challenges confronting U.S. public diplomacy are varied, and there is no easy means to address them. As Under Secretary of State for Public Diplomacy and Public Affairs, Judith A. McHale, said in testimony before the Senate Foreign Relations Committee during her nomination hearing, "An important lesson of recent years is that we must do a better job of thinking and planning strategically, with a clear mission and a steady eye on long-term global goals, accompanied by careful assessment of programs, personnel and expenditures. This will allow us to craft proactive, purposeful and integrated programs that further U.S. policy interests and resonate with foreign publics."

The Advisory Commission was created specifically to assist in devising such strategic plans and in providing objective criticism. It has done an excellent job in this regard and deserves to continue its work for another year, and this is why I am hopeful that my colleagues will join me in supporting H.R. 2131.

Ms. WATSON. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and pass the bill, H.R. 2131, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REDUCING GLOBAL TRAFFIC DEATHS

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 74) supporting the goals and ideals of a decade of action for road safety with a global target to reduce by 50 percent the predicted increase in global road deaths between 2010 and 2020, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 74

Whereas according to the 2004 World Report on Road Traffic Injury Prevention, 40,000 people in the United States and 1,300,000 people globally die in road crashes each year;

Whereas another 20,000,000 to 50,000,000 people globally are injured each year as a result of speeding motor vehicles and the increased use of motor vehicles;

Whereas road crashes are the leading cause of death globally for young people between the ages of 10 and 24 years around the world;

Whereas the current estimated monetary cost of motor vehicle crashes worldwide is \$518,000,000,000 annually, representing between 3 and 5 percent of the gross domestic product of each nation;

Whereas according to the World Health Organization, over 90 percent of motorist-related deaths occur in low- and middle-income countries;

Whereas according to the World Health Organization, motorist-related deaths and costs continue to rise in these countries due to a lack of appropriate road engineering and injury prevention programs in public health sectors;

Whereas the United States, other countries, and international organizations should promote the improvement of data collection and comparability, including by adopting the standard definition of a road death as “any person killed immediately or dying within 30 days as a result of a road traffic crash” as standard definitions of injury, and the facilitation of international cooperation to develop reliable data systems and analytical capability;

Whereas it is critical that the international community support collaborative action to enhance global road safety and reduce the risk of road crash death and injury around the world by fostering partnerships and cooperation between governments, private and public sectors, and within civil society, as well as relationships between the National Highway Traffic Safety Administration (NHTSA) and other national and international road safety authorities;

Whereas the United Nations General Assembly adopted a resolution in 2005 designating the third Sunday of November as a day of remembrance for road crash victims and their families, and calling on nations globally to improve road safety;

Whereas the United States Congress passed H. Con. Res. 87, as well as S. Con. Res. 39, in the 110th Congress supporting the goals and ideals of a world day of remembrance for road crash victims;

Whereas the United Nations General Assembly adopted a resolution in 2008 highlighting the impact of global road safety issues, encouraging nations to take action to reduce road crash risks across the world, and creating the first global high-level conference on road safety, to be hosted by the Russian Federation in Moscow in November 2009; and

Whereas the Ministerial Consultative Committee of the First Global Ministerial Conference on Road Safety in Moscow has drafted a declaration to designate 2010–2020 as the “Decade of Action for Road Safety”: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) supports the goals and ideals of a decade of action for road safety with a global target to reduce by 50 percent the predicted increase in global road deaths between 2010 and 2020;

(2) urges the Obama Administration and the Department of State, in conjunction with the National Highway Traffic Safety Administration (NHTSA), to set ambitious road traffic casualty reduction targets for United States citizens traveling abroad and at home;

(3) encourages enhancement of global efforts, including international harmonization of road safety regulations and good practices, to improve road safety and reduce road crash deaths and injuries; and

(4) urges the Obama Administration to take a leadership role at the First Ministerial Conference on Road Safety in Moscow and for the United States to work with nations around the world to achieve the goals

and ideals of a decade of action for road safety.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATSON. I yield myself as much time as I may consume.

Mr. Speaker, I rise in strong support of this resolution. Road crashes are a worldwide epidemic that annually take the lives of 1.2 million people and that injure 50 million others.

While the Congress has admirably focused on the fight against infectious disease, such as HIV and AIDS and malaria, while it has improved access to clean drinking water and while it has focused on other critical global health issues, not enough attention has been paid to those whose lives have been lost in road accidents.

A road accident is the leading cause of death among young people around the world, 85 percent of which occur in low- and middle-income countries. Yet all too often, these road accidents could have been prevented by better driver and pedestrian education and by improved engineering. In many countries, safety precautions that we take for granted, such as sidewalks, guardrails and crosswalks, simply don't exist. Pedestrians cross streets at their peril, and drivers use roads without lane markings or traffic lights. With more drivers taking to the roads in developing countries, global road deaths are likely to increase in the decade to come.

The U.S. and the international community can prevent many of these accidents by promoting improved data collection techniques, by supporting collaborative efforts to reduce the risks of road crash deaths and by fostering partnerships and cooperation between governments, the private and public sectors and within civil society.

We have no excuse for not taking a more aggressive approach to preventing millions of deaths and injuries along the world's roads and highways. I urge my colleagues to join me in raising awareness of the importance of reducing global road deaths and injuries by supporting this resolution.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 74 notes the importance of the goals and ideals of a decade of action

for road safety. As this measure reminds us, 40,000 people in the United States and 1.3 million people worldwide die in road crashes each year, and many more are injured. Road crashes are the leading cause of death globally for young people. In light of these facts, we ought to explore ways to do more to help prevent road crash-related deaths and injuries.

This resolution expresses support for the goals of a decade of action for road safety. It urges the Obama administration, the Department of State, and the National Highway Traffic Safety Administration to set ambitious road traffic casualty reduction targets for American citizens. Finally, it urges the administration to work with nations around the world to achieve the goals and ideals of a decade of action for road safety.

I would like to thank my colleague and good friend from Florida (Mr. WEXLER) for introducing this important measure, which I am pleased to support.

I reserve the balance of my time.

Ms. WATSON. Mr. Speaker, I yield 5 minutes to the sponsor of the bill, the gentleman from Florida (Mr. WEXLER).

Mr. WEXLER. Mr. Speaker, as a co-Chair of the Congressional Caucus on Global Road Safety, I, along with the other co-Chairs, introduced House Concurrent Resolution 74 earlier this year to shed light on an epidemic too few in this country or around the world comprehend: the devastating toll of deaths and injuries from road crashes.

I want to especially thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their extraordinary help in bringing this resolution to the floor as well as the several colleagues who joined with me in supporting this resolution.

According to the “World Report on Road Traffic Injury Prevention” study, which was produced in conjunction with the World Health Organization and the World Bank, every year road travel causes 1.3 million deaths and 50 million injuries. This is the equivalent of 10 jumbo jets crashing every day. Sadly, many of these deaths and injuries are preventable.

The upcoming Ministerial Conference on Road Safety in Moscow, which was inspired by the passing of United Nations Resolution 62/244 on March 31, 2008, is the culmination of a 5-year effort by a global community of stakeholders from multilateral and bilateral institutions, from governmental and nongovernmental organizations and from academia and civil society to raise international awareness and to call for a global response commensurate with the magnitude of the worldwide road traffic injury and fatality epidemic.

The conference will work to establish new benchmarks for best practices and road traffic injury prevention. It will encourage regional casualty reduction targets, and it will provide a new framework for international cooperation on global road safety.

Mr. VAN HOLLEN of Maryland, Mr. BURTON of Indiana, and I, as co-Chairs of the Congressional Caucus on Global Road Safety, encourage the Obama administration to take a strong leadership role at this conference.

It is in this vein that I introduced this resolution which supports the goals and ideals of a decade of action for road safety with a global target to reduce by 50 percent the predicted increase in global road deaths between 2010 and 2020.

This resolution also urges the Obama administration and the Department of State, in conjunction with the National Highway Traffic Safety Administration, to set ambitious road traffic casualty reduction targets for American citizens traveling abroad and to work with foreign governments and with international organizations to harmonize road safety regulations and good practices.

Finally, it urges the Obama administration to take a leadership role at the first Ministerial Conference on Road Safety in Moscow in late November of this year, and it urges the United States to work with nations around the world to achieve the goals and ideals of a decade of action for road safety and to reduce the impact of this public health epidemic in the global community.

Mr. Speaker, road safety is a rapidly growing problem throughout the developed and developing worlds alike that respects no boundaries of geography, nationality, race, age, gender or socioeconomic status. Furthermore, it is a problem that uniquely spans many key areas of concern for Members of Congress and their constituents, not the least of which is the health and safety of American citizens both at home and abroad.

Therefore, I urge my colleagues to support this resolution.

Ms. ROS-LEHTINEN. I would like to congratulate Mr. WEXLER for introducing this resolution to enhance global road safety and to reduce the risk of road crash deaths and injuries around the world by fostering partnerships in cooperation between governments, public and private sectors and within civil society. I support the measure.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Con. Res. 74, which supports the goals and ideals of a decade of action for road safety with a global target to reduce by 50 percent the predicted increase in global road deaths between 2010 and 2020. Road safety is a critical issue not only in my district and across the country, but in countries around the world.

As the Chair of the Homeland Security Subcommittee on Transportation Security and Infrastructure Protection, I believe that road safety is a critical component of protecting the nation. I fought for the building of infrastructure for safe roads in my district and I believe that this fight should be extended on a national and a global scale. According to the World Health Organization, WHO, the rise in both fatalities from motor vehicle deaths and subsequent costs is caused by the lack of ap-

propriate road engineering and safety promotion in the public health sector.

My home State of Texas is afflicted by the scourge of road fatalities. According to the National Highway Traffic Safety Administration, in 2008, there were 3,382 deaths across the state with 1,552 of those traffic fatalities occurring in urban areas such as my district in Houston, Texas. In 2007 there were 209 road deaths in Houston, Texas, killing nearly 10 people for every 100,000. According to the 2004 World Report on Road Traffic Injury Prevention, 40,000 people die each year in road crashes in the United States alone.

Across the globe, 1.3 million people die in road crashes each year. Another 20 to 50 million people across the globe are injured in motor vehicle accidents, often as a result of speeding. Road crashes are the number one killer of young people between the ages of 10 and 24 world-wide. Road crashes not only bring tragedy and devastation to the lives of the victims and their families, they are also extremely costly. The estimated monetary cost of motor vehicle crashes is nearly \$520 billion, or roughly 3 to 5 percent of the cumulative gross domestic product of the world.

The tragedy of road accidents is not only the economic loss, pain and suffering, and loss of life but also the knowledge that road crashes can be prevented. I applaud the efforts of the Ministerial Consultative Committee, which drafted a declaration for the First Global Ministerial Conference on Road Safety in Moscow to designate 2010–2020 as the “Decade for Action on Road Safety.” I hope that this conference will succeed in increasing the global awareness on road safety and generate meaningful action against road fatalities.

Road safety is an international effort that almost everyone can support. More than 90 percent of all motor vehicle fatalities occur in low- and middle-income countries. I believe the efforts to raise awareness for the need for road safety and strong action to help reduce motor vehicle fatalities will help our standing in those countries that need it the most. I strongly urge passage of this important Resolution.

Ms. ROS-LEHTINEN. I yield back the balance of my time.

Ms. WATSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 74, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

ENCOURAGING MEMBERSHIP IN THE SERVICEMEMBERS OPPORTUNITY COLLEGES CONSORTIUM

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 491) encouraging each institution of higher education in the country to seek membership in the Servicemembers Opportunity Colleges (SOC) Consortium.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 491

Whereas in order to enhance their military effectiveness and to achieve their educational, vocational, and career goals, servicemembers should share in the same postsecondary educational opportunities that are available to other citizens;

Whereas to enhance access to undergraduate educational opportunities for servicemembers, institutions should maintain a necessary flexibility of programs and procedures, particularly in admissions, credit transfer, and recognition of other applicable learning, including that gained in the military, in scheduling and format of courses, and in academic residency requirements to offset servicemembers' mobility, isolation from campuses, and part-time student status;

Whereas the Servicemembers Opportunity Colleges (SOC) Consortium, which was created in 1972 to provide educational opportunities to servicemembers who had trouble completing college degrees because of their frequent relocations, today includes more than 1,800 colleges and universities among its members;

Whereas the SOC Consortium is a vehicle to help coordinate voluntary postsecondary educational opportunities for servicemembers by advocating for the flexibility needed to improve access to and availability of educational programs for servicemembers, helping the military and higher education communities understand and respond to each other's resources, limits, and requirements for meeting the education and training needs of servicemembers, and strengthening the working relationships among military and higher education representatives;

Whereas each year, hundreds of thousands of servicemembers and their family members enroll in associate, bachelor, and graduate level degree programs offered by SOC Consortium members on school campuses, military installations, and armories within the United States and overseas;

Whereas SOC Consortium member institutions provide flexibility to servicemembers, their families, and veterans seeking college degrees and, in turn, these institutions benefit from the enrollment of mature, highly motivated adult students who are making use of tuition assistance or Montgomery GI Bill benefits to pay their education costs; and

Whereas in gratitude and respect for their service to the United States, all institutions of higher education in the country should strive to provide our servicemembers with the tools and opportunities they need to achieve their educational, vocational, and career goals: Now, therefore, be it

Resolved, That the House of Representatives—

(1) encourages each institution of higher education in the country to seek membership in the Servicemembers Opportunity Colleges (SOC) Consortium; and

(2) recognizes the institutions of higher education that are currently members of the SOC Consortium.

The SPEAKER pro tempore (Mr. SNYDER). Pursuant to the rule, the gentlewoman from Hawaii (Ms. HIRONO) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Hawaii.

GENERAL LEAVE

Ms. HIRONO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert extraneous material on H. Res. 491 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Ms. HIRONO. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 491, which encourages each institution of higher education in the country to seek membership in the Servicemembers Opportunity Colleges Consortium, SOC.

Whether at home or abroad, military servicemembers deserve our Nation's utmost respect and support. It is, therefore, important that our Nation's institutions of higher education respect the commitment that military servicemembers make in protecting the freedoms we often take for granted.

The SOC recognizes the sacrifices that many of these servicemembers make, and it provides servicemembers with the opportunities for continued learning. The SOC appreciates the positive attributes military servicemembers bring as active participants in a diverse college environment.

The SOC works toward improving the relationship between the military and institutions of higher education. Increased understanding provides the flexibility necessary for servicemembers to meet the educational requirements that schools demand. The SOC manages to balance the development of programs and procedures that meet the unique needs of servicemembers while protecting and assuring the quality of educational programs. The SOC includes over 1,800 colleges and universities. Members of this consortium should be commended.

However, in order to create additional opportunities for deserving servicemembers, we need to encourage other higher education institutions to join the SOC. The SOC enables Americans to express our gratitude to servicemembers and to ensure that they have access to the same educational opportunities that are available to other citizens.

The SOC provides a wealth of pathways to a quality education while being sensitive to the needs of those who have served our country or of those who are currently on active duty. Under this program, servicemembers can easily transfer credits earned while working toward a degree; they can attend a myriad of campuses and can opt for distance learning in certain instances.

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It is imperative that servicemembers are able to obtain an excellent education, not only because it makes our troops stronger, but because it serves as a necessary way to express gratitude for all of the ways that our service-

members sacrifice to protect our country.

Mr. Speaker, I want to thank Representative ADLER for bringing this resolution forward.

I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise in support of H. Res. 491, a resolution encouraging each institution of higher education in the country to seek membership in the Servicemembers Opportunity Colleges, or SOC, Consortium.

The SOC Consortium was created in 1972 to provide educational assistance to servicemembers who had trouble completing their postsecondary education due to their frequent moves.

Today, more than 1,800 colleges and universities are a member of this important consortium with operational partnership between the Department of Defense and the American Association of State Colleges and Universities.

All institutions that join the consortium must agree to have military-friendly policies on campus. Generally, these institutions agree to things like reasonable transfer of credit policies, providing credit for military training and experience, and providing credit for at least one nationally recognized testing program like the college-level examination program.

The consortium also assists institutions and students in following new policy changes that may benefit servicemembers or veterans. Committee Republicans have long been supportive of ensuring that America's servicemen and -women are easily able to accomplish their goal of achieving a postsecondary education degree.

The Higher Education Opportunity Act passed last Congress included a number of new initiatives for servicemembers and veterans. The bill required the Secretary of Education to provide a Web site that should serve as a one-stop shop for servicemembers to access information about all education benefits.

This bill also included a program to provide funds to institutions to develop on-campus centers that will help servicemembers navigate everything from course registration to educational benefits to help pay for college. These programs will help ensure that these students receive all of the information they need without having to navigate through all the red tape.

I recognize that many institutions already have military-friendly policies in place whether or not they are a part of this consortium. Through this resolution, we are encouraging even more institutions to review their policies and to think about whether there is more that they could give back to those who are fighting for America's freedom.

I certainly want to congratulate my colleague Mr. ADLER for introducing

this important resolution. Mr. Speaker, I urge my colleagues to support this resolution.

I reserve the balance of my time.

Ms. HIRONO. Mr. Speaker, I am pleased to recognize, for 3 minutes, the gentleman from New Jersey (Mr. ADLER), the sponsor of this resolution.

Mr. ADLER of New Jersey. I thank the gentlelady for bringing this resolution to the floor. I thank my friend Mr. THOMPSON for his support. I thank both Congressman MILLER and Ranking Member KLINE for their leadership on the Education and Labor Committee.

We have a country that watches us and is sometimes appalled by what they see as too much partisanship. This is another example of Republicans and Democrats working together to help the young men and women who have both put on a uniform, gone overseas to keep us safe and free back home. Democrats, Republicans, a Member of Congress, as Americans are standing up for those people that stood up for us to keep us safe and to keep us free.

I was delighted by the remarks of both Ms. HIRONO and Mr. THOMPSON in support of this resolution. We are trying to thank those colleges, those universities, those technical schools that already do what they can in terms of admissions, in terms of credit transfers, in terms of recognizing the service time as an educational opportunity for which credit should be given.

We want to encourage those other universities, other colleges, other technical schools that don't yet do this to do what schools, colleges, technical schools around the country have done since 1972, and increasingly so.

I was very, very happy that my State university in New Jersey, Rutgers University, the State University of New Jersey, just so recently acknowledged SOC, joined SOC, and is doing what so many other universities, colleges and technical schools have been doing since 1972 to help our servicemembers, to help our newly discharged veterans realize their civilian American Dream. Each and every one of them, as they see fit, by going to a university or college of higher education may achieve the sorts of opportunities they want through higher education to have a successful civilian life.

I thank both my friends here, Ms. HIRONO and Mr. THOMPSON. I thank the leadership and the committee on both sides for trying to work for Americans, work for our veterans, work for our active servicemembers and for their family members to make sure they have a chance at a higher education.

I urge all our Members to support this resolution.

Mr. THOMPSON of Pennsylvania. I thank my good friend for sponsoring this resolution. I am certainly proud as a member of the Education and Labor Committee to support this resolution as well. I think, to me, more importantly, as the father of a United States soldier, thank you for this resolution.

I yield back the balance of my time.

Ms. HIRONO. I thank the gentleman from Pennsylvania for his remarks and, in particular, because in his family he has servicemembers. I thank Mr. ADLER for bringing this forward.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and agree to the resolution, H. Res. 491.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING HOWARD UNIVERSITY SCHOOL OF LAW

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 684) recognizing and honoring Howard University School of Law's 140-year legacy of social justice and its continued commitment to the training of capable and compassionate legal practitioners and scholars, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 684

Whereas in 1867, shortly after the end of the Civil War, with funds provided by the Freedman's Bureau, Howard Normal and Theological Institute was established;

Whereas the following year, the Board of Trustees voted to expand the institute's curriculum and change the name to Howard University;

Whereas in 1869, Howard University School of Law, which shares Howard University's founding principles: Veritas et Utilitas (Truth and Service), was opened in an effort to address the great need to train lawyers who would have a strong commitment to helping African-Americans secure and protect their newly established rights granted by the 13th and 14th amendments to the Constitution;

Whereas Howard Law School is the first law school dedicated to the education of African-Americans;

Whereas Howard Law School's original faculty members were former Dean of the Law School, John Mercer Langston, and the Honorable Albert Gallatin Riddle;

Whereas John Mercer Langston, the namesake of Langston University, was the first African-American Member of the House of Representatives from the State of Virginia, representing Virginia's 4th district, and former President of Virginia Normal and Collegiate Institute (presently known as Virginia State University);

Whereas the Honorable Albert Gallatin Riddle, former Member of the 37th Congress, was an abolitionist and novelist;

Whereas Charlotte E. Ray (class of 1872) was not only the first African-American female graduate of Howard Law School, but was also the first African-American female to practice law in the District of Columbia;

Whereas James C. Napier (class of 1872), who was invited to attend Howard Law School by Dean John Mercer Langston, served as President William H. Taft's Reg-

istrar of the Treasury, and is 1 of 5 African-Americans whose signature has appeared on currency of the United States;

Whereas Robert H. Terrell (class of 1889) was the first African-American municipal judge for the District of Columbia;

Whereas former Dean of Howard Law School, William Henry Hastie, became the first African-American Governor of the United States Virgin Islands, the first African-American Federal magistrate judge, and the first African-American to be appointed as a Federal circuit court judge;

Whereas former Vice Dean, Charles Hamilton Houston, widely known as, "the man who killed Jim Crow", was known to remark to his students that, "a lawyer is either a social engineer or a parasite on society . . .";

Whereas Howard Law School served as the training ground and planning site for the lawyers who, through *Brown v. Board of Education of Topeka, Kansas*, rejected the notion that separate education equates to equal education;

Whereas civil rights attorneys Oliver Hill (class of 1933) and co-counsel, Spottswood Robinson III (class of 1939), were attorneys for the plaintiffs in *Davis v. County School Board of Prince Edward County*, which was 1 of 5 cases consolidated with *Brown v. Board of Education of Topeka, Kansas*;

Whereas Thurgood Marshall (class of 1933) was the lead litigator to argue *Brown v. Board of Education of Topeka, Kansas*, before the Supreme Court, and was later named Associate Justice on the Supreme Court;

Whereas Damon Keith (class of 1949) is currently a senior judge for the United States Court of Appeals for the Sixth Circuit;

Whereas Harris Wofford (class of 1954) is a former Senator from Pennsylvania and was a civil rights advisor to President John F. Kennedy;

Whereas former Mayor of Richmond, Virginia, L. Douglas Wilder (class of 1959), was the first African-American elected as Governor in the United States;

Whereas Vernon Jordan (class of 1960), former advisor to President Bill Clinton, noted that at Howard Law School, he found, "a wife, a career, and a reaffirmation of [his] faith in the mission of black people", and that his time at Howard, "saved [his] soul";

Whereas Roland Burris (class of 1963) is a Member of the United States Senate;

Whereas Gabrielle McDonald (class of 1966), Howard University Trustee Emerita, serves as an Arbitrator on the Iran-United States Claims Tribunal, is a former president and judge of the International Criminal Tribunal for the former Yugoslavia, formerly served as a judge for the United States District Court for the Southern District of Texas and was elected to the "Texas Woman's Hall of Fame";

Whereas former Dean and professor at Howard Law School, J. Clay Smith (class of 1967), who was appointed by President Jimmy Carter in 1978 and President Ronald Reagan in 1981 to serve on the Equal Employment Opportunity Commission, in the capacities of Commissioner and Acting Chairman, is the author of "Emancipation: The Making of the Black Lawyer 1844-1944" and "Rebels in Law: Voices in History of Black Women Lawyers", and the editor of "Supreme Justice: Speeches and Writings", written by Thurgood Marshall;

Whereas Wiley Daniel (class of 1971) was the first African-American appointed as a judge for the United States District Court for the District of Colorado;

Whereas Isaiah Leggett (class of 1974) is the County Executive for Montgomery County, Maryland;

Whereas Jack Johnson (class of 1975) is the County Executive for Prince George's County, Maryland;

Whereas the recent addition of Vicky Miles-LeGrange (class of 1977) as Chief Judge of the United States District Court for the Western District of Oklahoma evidences the ongoing commitment of the faculty and staff of Howard Law School to equip alumni with the necessary tools to succeed at every level;

Whereas Gregory Meeks (class of 1978) is a Member of the United States House of Representatives;

Whereas former District of Columbia Mayors, Walter Washington (class of 1948) and Sharon Pratt Kelly (class of 1968), and current Mayor, Adrian Fenty (class of 1996), are alumni of Howard Law School;

Whereas Howard Law School is one of a select group of law schools that can boast having as alumni a Supreme Court Justice, numerous Federal and State judges, Members of both the House of Representatives and the Senate, a Governor, and several Mayors;

Whereas the Princeton Review ranks Howard Law School's faculty as the most diverse law school faculty in the Nation;

Whereas Spencer Boyer, a Professor at Howard Law School, has 38 years of service, which makes him one of the most senior African-American law professors in the United States;

Whereas the competitive efforts of the *Huver I. Brown Trial Advocacy Moot Court Team*, the *Charles Hamilton Houston National Moot Court Team*, and the *Goler Teal Butcher International Moot Court Team* are evidence of Howard Law School's dedication to the vigorous training of zealous advocates;

Whereas Howard Law School's curriculum, which includes a study abroad program in Cape Town, South Africa, the Civil Rights Clinic, the Fair Housing Clinic, the World Food Law Institute, and the Institute of Intellectual Property and Social Justice, demonstrates an aggressive commitment to provide relevant hands-on instruction in an ever-evolving legal environment;

Whereas for 10 years, through the Marshall-Brennan Constitutional Literacy Project, law students in the Howard University School of Law student-fellows program teach constitutional law in public high schools in the District of Columbia;

Whereas Howard Law School's comparatively low tuition and aggressive career services staff helped the school achieve a ranking of third on the Vault.com's list of the most underrated law schools in the Nation;

Whereas Howard Law School has contributed robustly to society through the education of attorneys who have gone on to serve the world in countless public and private capacities; and

Whereas there is no greater illustration of Howard Law School's motto, "Leadership for America and the Global Community", than the faculty, staff, students, and alumni of Howard University School of Law: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes Howard University School of Law's profound achievements and unwavering commitment to social justice for all people;

(2) encourages the continued dedication to the first-rate training of social engineers; and

(3) congratulates Howard University President, Sidney A. Ribeau, Ph.D., Howard University School of Law Dean, Kurt L. Schmoke, J.D., and the faculty, staff, students, and alumni of Howard Law School on the momentous occasion of its 140th anniversary.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Hawaii (Ms. HIRONO) and the gentleman

from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Hawaii.

GENERAL LEAVE

Ms. HIRONO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 684 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Ms. HIRONO. I yield myself such time as I may consume.

Mr. Speaker, I rise today to recognize and honor Howard University School of Law on the event of their 140th anniversary. The students and many exemplary alumni of Howard University School of Law truly embody their motto, "Leadership for America and the Global Community."

The Howard University School of Law's deep commitment to social justice and compassion began with its founding in 1869. The school was established in an effort to help African Americans secure and protect their newly established rights. Throughout this Nation's history, Howard alumni have challenged racism, worked to attain equal rights and access to education, and broken down barriers, rising to prominent positions in the field of law and justice. It was Howard University School of Law which served as the training ground and planning site of the thinkers who boldly defeated the notion that separate education can ever be equal through the landmark case *Brown v. Board of Education of Topeka, Kansas*.

Of the many notable African American legal scholars, Supreme Court Justice Thurgood Marshall, arguably one of the most influential African Americans in American history, was educated at Howard law school. Vernon Jordan, former National Urban League President and domestic policy adviser for President Clinton, was educated at Howard law school. Charles Hamilton Houston, who earned the title "The Man Who Killed Jim Crow" because of his successful civil rights litigation, served as vice dean at Howard.

There are few schools that can boast having a Supreme Court Justice, numerous Federal judges, Members of both the United States House and the Senate, a Governor and several mayors amongst its alumni. It is a proud history of those great minds, as well as the countless others that have come before, that pave the way for the next generation of legal scholars. Howard University School of Law graduates scholars with a lifelong commitment to change the world for the better.

Howard has been recognized for its diverse faculty, its relatively low cost, opportunity for hands-on experience through a study abroad program of South Africa, and many other professional development opportunities, as well as their volunteer work here in

D.C., teaching constitutional law in public schools.

The dedication to the tenets of truth and service that inspired the founding of Howard University and the School of Law still exist today as this institution continues to work towards social justice and leadership. The Howard University School of Law remains an important institution continuing to serve as a beacon of justice and learning.

Mr. Speaker, I want to honor and congratulate the current Howard University president, Dr. Sidney Ribeau, and the Howard University School of Law dean, Kurt Schmoke, as well as the faculty, staff, students and alumni of the Howard University School of Law on this momentous occasion of its 140th anniversary. I urge my colleagues to support this measure.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of House Resolution 684, a resolution recognizing and honoring Howard University School of Law's 140th anniversary of legacy and social justice and its continued commitment to the training of capable and compassionate legal practitioners and scholars.

Howard University was chartered by Congress as a private university in Washington, D.C., in 1867. The law school at Howard opened its doors to its first six students in 1869. By the end of the first year, the law school had enrolled a total of 22 students. The first students graduated from Howard University School of Law on February 3, 1871. The American Bar Association accredited the school in 1931. Today, Howard University School of Law graduates approximately 185 students with either a juris doctorate or a master of law degree. Students attending Howard come from all over the United States and the globe.

Howard University School of Law has had a history of promoting social and civil change. In fact, it has an impressive lineup of alumni that were key figures in American history, including former Representative John Mercer Langston, the first African American Member of the House of Representatives; Charlotte E. Ray, the first African American woman to practice law in the District of Columbia; and Thurgood Marshall, a former Justice of the United States Supreme Court and lead litigator in the landmark case *Brown v. Board of Education*.

I congratulate Howard School of Law on 140 years of academic success and wish them luck as they continue to inspire the country's next generation.

I urge my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Ms. HIRONO. Mr. Speaker, I am pleased to recognize, for 4 minutes, the gentlewoman from Michigan (Ms. KILPATRICK), the sponsor of this resolution.

Ms. KILPATRICK of Michigan. I thank the gentlewoman from Hawaii for her leadership in coming to this House and taking us by storm. To our ranking member who is managing the bill today, thank you for your support.

As has been mentioned, 140 years ago, Howard University established its law school. Since that time, hundreds of young men and women have graduated from this prestigious law school. Today, under the direction of our president, Sidney Ribeau, it is also carrying on the legacy that was started in 1869.

Thurgood Marshall, Supreme Court Justice, known for his tenacity, his intelligence, his forthrightness, and at Howard University in 1869 and beyond, they talked about social engineers they were putting out, men and women who could elaborate and repeat the Constitution and represent young people, old people, and people all over this country. They continue in that tradition today:

Thurgood Marshall, 1954, the Board of Education, equal schools under the law;

Kurt Schmoke, former mayor of Baltimore, Maryland;

Our sitting Senator right now, Senator BURRIS from Chicago, Illinois, is a graduate of Howard law school;

Our own colleague, GREGORY MEEKS of New York, is a graduate of Howard law school.

The school today probably is just as important as it was, not probably, is just as important today as it was 140 years ago. I am honored that the House would take up the legislation today that we would pass it on suspension. In a couple of weeks, they are having a ceremony on campus at Howard University, and I invite all the alumni of Howard University to come back, come back on campus and let's celebrate.

Today we live in a world where equal protection under the law is a must. We must make sure that every citizen in America has access to quality representation, access to a fair process, and that lawyers from all over this country and abroad who represent those clients will give to the very best of their ability. Howard University law school is 140 years old. We thank those who began the school 140 years ago.

We pray that as the tradition of the law school continues to excel around the world, that we will continue to lift up the United States of America, that we will protect our judicial system, and that the lawyers who graduate from all the law schools across this country, including Howard University's law school, represent to the very best of their ability so that American citizens will know that the third branch of government is alive and well because in 1869 Howard University was established.

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Mr. THOMPSON of Pennsylvania. Mr. Speaker, I don't believe I have any additional speakers on this bill, so I yield back the balance of my time.

Ms. HIRONO. Mr. Speaker, I thank the gentleman from Pennsylvania for his remarks in support of this measure and also Ms. KILPATRICK for bringing this measure forward. I, again, commend Howard University law school for its continuing commitment to equality, justice and opportunity for all, and urge all of my colleagues to vote for this measure.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and agree to the resolution, H. Res. 684, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING 50TH ANNIVERSARY OF WESTERN WYOMING COMMUNITY COLLEGE

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 696) acknowledging and congratulating Western Wyoming Community College in Southwest Wyoming on the occasion of its 50th anniversary of service to the students and citizens of the State of Wyoming.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 696

Whereas Western Wyoming Community College was established in 1959 through the efforts of a citizens committee and a general election that formed the original district;

Whereas the College began classes in Rock Springs High School, moved to the Reliance School, and then finally moved to its present College Drive location in Rock Springs in 1969;

Whereas the College opened an extended campus in Green River in 1975;

Whereas these expansions were made possible in part by the Sweetwater County voters, who approved 3 general obligation bond issues, leading to the construction of Western's current award-winning structure;

Whereas the College's service area now encompasses all of Southwestern Wyoming, including Sweetwater, Uinta, Carbon, Sublette, and Lincoln counties;

Whereas the College has grown from serving 40 students during the fall semester of 1959 to currently serving over 4,000 credit and 2,000 community education students each semester;

Whereas the College adheres to its Guiding Principles: "Learning is our Purpose", "Students are our Focus", "Employees are our Most Important Resource", "The Community is our Partner", "Adapting to Change Defines our Future", and "Ethical Standards Guide our Actions";

Whereas the College embodies these principles in its motto: "A commitment to quality and success";

Whereas the College is a valued partner with industry, education, and local business in its service area to provide transfer and technical education, workforce training, cultural and athletic activities, and community education courses;

Whereas the College is the fifth of 7 comprehensive community colleges in Wyoming, and a vital part of Wyoming's higher education system;

Whereas the transfer agreement between Wyoming's community colleges and the University of Wyoming creates a seamless transition for students wishing to continue their education; and

Whereas the fall of 2009 marks the 50th anniversary of the establishment of Western Wyoming Community College: Now, therefore, be it

Resolved, That the House of Representatives acknowledges and congratulates Western Wyoming Community College in Southwest Wyoming on the occasion of its 50th anniversary of service to the students and citizens of the State of Wyoming.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Hawaii (Ms. HIRONO) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Hawaii.

GENERAL LEAVE

Ms. HIRONO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 696 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Ms. HIRONO. I yield myself such time as I may consume. Mr. Speaker, I rise today in support of H. Res. 696, which celebrates Western Wyoming Community College's 50th year of service to the students and the State of Wyoming.

Established in 1959, a local citizens committee and a general election led to Western Wyoming Community College. Beginning with only 40 community college students and occupying the local high school facilities, WWCC has emerged as a vital part of the southwestern Wyoming community that prepares graduates for advanced degrees and workforce readiness.

WWCC is a comprehensive community college that provides a great foundation for students because of its small class sizes, hands-on learning experiences, and highly qualified instructors. WWCC truly succeeds at educating its students. In 2008, 100 percent of the nursing class passed the State exam.

Today, Western Wyoming Community College enrolls over 3,000 students and offers a wide range of courses. With nine academic programs, 70 concentrations, \$3 million worth of financial aid, and moderate undergraduate tuition, WWCC provides an affordable and diverse academic education for many students living in the surrounding area.

The college prides itself on responding to the changing needs of local businesses and industries, primarily mining and energy, with exceptional academic and technical programs. Its success is based on a strong history of collaboration with local industries.

With that said, WWCC lives up to its motto: "A commitment to quality and

success." I commend Representative LUMMIS for bringing this resolution forward. Again, I want to express my support for this bill, and urge my colleagues to vote "yes."

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of House Resolution 696, acknowledging and congratulating Western Wyoming Community College in southwest Wyoming on the occasion of its 50th anniversary of service to the students and citizens of Wyoming.

Western Wyoming Community College was established in 1959. Through the efforts of a citizens' committee, a campaign began, an election was held, and the college in the original district was created. Through the support of the community, the campus has been expanded several times since it was originally built in 1966. Student numbers have increased from 40 in 1959 to over 5,000 in 2002.

Western Wyoming Community College has grown almost every year and is now one of the seven community colleges that serve the State of Wyoming. The main campus is located in Rock Springs, Wyoming, and, together with an extended campus located in Green River, comprises the fourth-largest population center in Wyoming.

WWCC offers a variety of educational services to the community. They offer 2-year transfer programs for students pursuing a baccalaureate, 2-year occupational degrees, and a number of occupational certificate programs. The college has programs in humanities and fine arts; social science; science and mathematics; business; technology and industry; and health science.

Western's mission statement reflects the dedication to education that has led WWCC to become the successful institution it is today. Of the 293 first-time, full-time students that enrolled in WWCC in 2005, 72 percent graduated or went on to other higher education institutions by 2008.

The mission of WWCC is to provide access to postsecondary educational opportunities by offering broad, comprehensive programs in academic as well as vocational technical subjects. Committed to quality and success, Western encourages flexibility, innovation, and active learning for students, faculty, and staff.

Western Wyoming Community College celebrates the 50th anniversary of their founding this month. For 50 years, WWCC has provided a quality education to the people of their community, allowing them to further their careers and better their lives.

I thank Representative LUMMIS of Wyoming for introducing this resolution. I congratulate Western Wyoming Community College. I ask my colleagues to support this resolution.

I reserve the balance of my time.

Ms. HIRONO. I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. I rise today in support of House Resolution 696 and in recognition of the 50 years of achievement in service by Western Wyoming Community College. I further wish to thank the gentlelady from Hawaii and the gentleman from Pennsylvania for their support of this resolution.

As the gentlelady from Hawaii pointed out, Western began in fall of 1959, serving only 40 students out of Rock Springs High School. Today, they have an award-winning campus on College Drive in Rock Springs as well as an extended campus in Green River, which collectively serve 4,000 credits and 2,000 community education students each semester.

Western serves Sweetwater, Uinta, Carbon, Sublette, and Lincoln Counties, all in southwest Wyoming. It is a valued partner with industry, education and local business in its service area to provide transfer and technical education, workforce training, cultural and athletic activities, and community education courses.

Like many educational institutions across the Nation, Western adheres to a set of altruistic guiding principles: Learning is our Purpose; Students are our Focus; Employees are our Most Important Resource; the Community is our Partner; Adapting to Change Defines our Future; and, Ethical Standards Guide our Actions. And it embodies these principles in its motto: "A commitment to quality and success."

Across our Nation, community colleges play a vital role in the higher education system. No State feels their significance more than the State of Wyoming.

Wyoming is almost 100,000 square miles and is served by only one 4-year university. Western is the fifth of seven comprehensive community colleges that bridge this geographic span, making college affordable and accessible across the State of Wyoming.

The seven community colleges across Wyoming allow some students to complete their education with technical training or a 2-year associates degree, while others transfer earned credit to continue and receive their bachelor degrees and beyond.

Making the goals of many students even more accessible is the seamless transfer agreement between the University of Wyoming and the community colleges, allowing students to continue their education in Laramie without loss of credits in the move.

So in recognition of the Western Mustangs, their 50th anniversary, and to community colleges across Wyoming and the Nation, I ask my colleagues to celebrate Western's achievements with me today.

Western will be celebrating as a campus from this Saturday, September 26, through the following Sunday, October 4. Please help me in having the U.S.

House of Representatives celebrate this achievement with them by passing House Resolution 696.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, having no additional speakers, I yield back the balance of my time.

Ms. HIRONO. I want to thank the gentlelady from Wyoming for bringing this forward, because community colleges all across the country play a pivotal role in providing educational opportunities for our citizens. I, of course, congratulate WWCC on its 50th anniversary.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and agree to the resolution, H. Res. 696.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. HIRONO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

CONGRATULATING THE WICHITA STATE UNIVERSITY MEN'S AND WOMEN'S BOWLING TEAMS

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 455) congratulating the Wichita State University men's and women's bowling teams for winning the 2009 United States Bowling Congress Intercollegiate Bowling National Championship, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 455

Whereas the Wichita State University (WSU) men's and women's bowling teams won the 2009 United States Bowling Congress (USBC) Intercollegiate Bowling National Championship in Rockford, Illinois, on April 15-18, 2009;

Whereas the WSU men's team defeated the University of Nebraska-Lincoln and Webber International University and advanced to the finals, where they defeated Saginaw Valley State University two games to one in a best of three series to win the championship;

Whereas the WSU women's team defeated Ball State University, Fresno State University, and McKendree University and advanced to the finals, where they defeated Lindenwood University two games to zero to win the championship;

Whereas the WSU men's team has won nine USBC Intercollegiate Bowling National Championships, in 1980, 1987, 1993, 1994, 1995, 1998, 2003, 2008, and 2009, and has advanced to the national tournament a record 29 times;

Whereas the WSU women's team has won nine USBC Intercollegiate Bowling National

Championships, in 1975, 1977, 1978, 1986, 1990, 1994, 2005, 2007, and 2009, and has advanced to the national tournament a record 34 times;

Whereas head coach Gordon Vadakin has led the men's and women's teams to a combined 32 USBC Intercollegiate Bowling National Championship tournaments and 17 national titles since he began coaching in 1976;

Whereas assistant coaches Mark Lewis, Brian Adelgren, and Nathan Bohr were also instrumental in the WSU teams' 2009 victories;

Whereas the 2009 men's championship team, comprised of Jake Peters, Nick Pahr, Brandon Hall, Josh McBride, John Szczerbinski, Stephen Cowland, Josh Blanchard, Adam Ferri, Kyle Bischoff, Will Barnes, Geoffrey Young, and Kevin Tatrow, won the national title due to the combined efforts of each of its members;

Whereas the 2009 women's championship team, comprised of Melissa Hurst, Maggie Zakrzewski, Suzana Signaigo, Sandra Gongora, Jessica Baker, Samantha Hesley, Mariana Ayala, Daniela Alvarado, Rocío Restrepo, and Samantha Linder, won the national title due to the combined efforts of each of its members;

Whereas Sandra Gongora was named the National Collegiate Bowling Coaches Association and the Bowling Writers Association of America (BWAA) Female Collegiate Bowler of the Year, and John Szczerbinski and Josh Blanchard were BWAA Male Collegiate Bowler of the Year runners-up; and

Whereas Sandra Gongora, John Szczerbinski, and Josh Blanchard were named as first team All-Americans by the USBC: Now, therefore, be it

Resolved, That the House of Representatives congratulates and commends the Wichita State University men's and women's bowling teams for winning the 2009 United States Bowling Congress Intercollegiate Bowling National Championship.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Hawaii (Ms. HIRONO) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Hawaii.

GENERAL LEAVE

Ms. HIRONO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 455 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Ms. HIRONO. I yield myself such time as I may consume.

I rise today to congratulate the Wichita State University men's and women's bowling teams for each of their victories in the 2009 United States Bowling Congress Intercollegiate Bowling National Championship.

April 15-18, 2009, college bowling fans were treated to a number of great bowling matches between the most skilled bowlers in the country. The Wichita State University men's bowling team entered the national tournament for the 24th consecutive year and ranked as the number one team in the Nation. They garnered their ninth national championship, defeating Saginaw Valley State University in the final match. The women's team also

collected its ninth national championship, beating Lindenwood University in their finals.

Sandra Gongora from the Shockers was named the Bowling Writers Association of America (BWAA) Female Collegiate Bowler of the Year. John Szezerbinski and Josh Blanchard of the men's team were BWAA Male Collegiate Bowler of the Year runners-up.

As the most accomplished collegiate bowling program in the Nation, the Wichita State Shockers bowling teams have 18 national championship victories. No other team in the Nation has achieved this magnitude of success. The program has produced 169 All-Americans and seven National Bowlers of the Year. Better yet, 32 former and current Shockers bowlers represented our country on Team USA.

I want to extend my congratulations to Gordon Vadakin, the head coach of both the women's and men's team. Through his leadership, Coach Vadakin led Wichita State University to 32 intercollegiate bowling national championship tournaments since he began coaching in 1976.

Mark Lewis, Brian Adelgren, and Nathan Bohr also helped these teams reach elite status with their roles as assistant coaches.

Bowling, by far, is the school's most preeminent athletic program. Winning the national championship and collecting its 18th national title has brought national acclaim to Wichita State University. I know the fans of the university will revel in this accomplishment.

Mr. Speaker, once again, I congratulate the Wichita State University Shockers for their success and thank Representative TIAHRT for bringing this resolution forward.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume. I rise today in support of House Resolution 455, congratulating the Wichita State University men's and women's bowling teams for winning the 2009 United States Bowling Congress Intercollegiate Bowling National Championship.

□ 1230

Wichita State University began as Fairmount College, a private congressional school, in 1895. Wichita State University changed its name and officially entered the State system of higher education on July 1, 1964. And today WSU offers more than 60 undergraduate degree programs in more than 200 areas of study in six undergraduate colleges.

The university is an NCAA Division I institution, and fields teams in tennis, cross-country, basketball, track, golf, crew, bowling, men's baseball, and women's volleyball and softball. The name for WSU's athletic teams is the Shockers. The name reflects the University's heritage. Early students earned money by shocking, or harrowing, wheat in nearby fields. The

WSU Shockers have excelled at many sports over the years, but bowling has recently become one of WSU's most successful athletic teams.

The sport of bowling originated in ancient Egypt. Bowling balls and pins were found in the tomb of an Egyptian king who died in 5200 B.C. The ancient Polynesians bowled on lanes that were 60 feet long, the same as today, and bowling was part of a religious ceremony in fourth-century Germany. British kings Edward II and Richard II banned bowling because they said people were wasting too much time playing the sport.

Bowling has been popular in America since Colonial days. The German settlers introduced ninepins, the game that evolved into today's modern tenpin sport. Today bowling is enjoyed by 95 million people in more than 90 countries worldwide.

As the most accomplished collegiate bowling program in the Nation, the Wichita State Shocker bowling teams have 18 national championship victories to their name. In the 2009 men's national championship, the Shockers and the Saginaw Valley State University squared off in a showdown between the two most successful programs in the history of collegiate bowling for the title. The Lady Shockers came through and won their second national championship in three seasons after a 2-0 sweep of Lindenwood in the championship match.

I'm honored to stand before the House today to congratulate and recognize the significant achievements of the players and the coaches whose hard work has led to the success of the Wichita State University Shockers men's and women's bowling teams as USBC Intercollegiate National Champions.

I ask my colleagues to support this resolution.

Mr. Speaker, I yield such time as he may consume to my good friend who's the author of this resolution, the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. I want to first thank the gentlewoman from Hawaii for her help in this legislation and for the kind words to Wichita State and also to the gentleman from Pennsylvania, who also gave us a wonderful history about this sport and also Wichita State University and his kind words.

Mr. Speaker, I am pleased to offer House Resolution 455 honoring the 2009 National Champion Wichita State University Shocker men's and women's bowling teams. By its very nature, a national championship is special, but to have both men's and women's teams from the same school earn the same title in the same year is truly remarkable.

The Wichita State University men's team entered the elimination portion of the tournament seeded first, a ranking which they held all the way through the finals where they claimed the national championship. The Lady Shockers were ranked second entering

the elimination tournament and overcame a difficult schedule on their way to becoming national champions. These championship teams carry on a winning tradition at Wichita State University. This is the ninth national title for each of them, the second consecutive national title for the men, and the third women's national title in 5 years.

Wichita State University has been blessed with an incredible coaching staff. Head coach Gordon Vadakin and assistant coach Mark Lewis are both members of the United States Bowling Congress Hall of Fame. Gordon Vadakin has been coaching at Wichita State University since 1976, leading the men's and women's teams to a combined 32 USBC Intercollegiate Bowling National Championship tournaments and winning a record 16 of them. The Wichita State University team has two additional outstanding assistant coaches in Brian Adelgren and Nathan Bohr.

I want to congratulate the men's team of Jake Peters, Nick Pahr, Brandon Hall, Josh McBride, Stephen Cowland, Adam Ferri, Kyle Bischoff, Will Barnes, Geoffrey Young, Kevin Tatrow; and Male Collegiate Bowler of the Year runners-up John Szezerbinski and Josh Blanchard; and to the women's team of Melissa Hurst, Maggie Zakrzewski, Suzana Signaigo, Jessica Baker, Samantha Hesley, Mariana Ayala, Daniela Alvarado, Rocio Restrepo, Samantha Linder, and Female Collegiate Bowler of the Year Sandra Gongora.

Once again, I am pleased today that the United States House of Representatives will congratulate and commend the Wichita State University men's and women's bowling teams for winning the 2009 Intercollegiate Bowling National Championship Tournament. Go Shox.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. HIRONO. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and agree to the resolution, H. Res. 455, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

FISCAL YEAR 2010 FEDERAL AVIATION ADMINISTRATION EXTENSION ACT

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3607) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 3607

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fiscal Year 2010 Federal Aviation Administration Extension Act”.

SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) **FUEL TAXES.**—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking “September 30, 2009” and inserting “December 31, 2009”.

(b) **TICKET TAXES.**—

(1) **PERSONS.**—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking “September 30, 2009” and inserting “December 31, 2009”.

(2) **PROPERTY.**—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking “September 30, 2009” and inserting “December 31, 2009”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2009.

SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) **IN GENERAL.**—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking “October 1, 2009” and inserting “January 1, 2010”; and

(2) by inserting “or the Fiscal Year 2010 Federal Aviation Administration Extension Act” before the semicolon at the end of subparagraph (A).

(b) **CONFORMING AMENDMENT.**—Paragraph (2) of section 9502(e) of such Code is amended by striking “October 1, 2009” and inserting “January 1, 2010”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2009.

SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—Section 48103 of title 49, United States Code, is amended—

(A) by striking “and” at the end of paragraph (5);

(B) by striking the period at the end of paragraph (6) and inserting “; and”; and

(C) by adding at the end the following:

“(7) \$1,000,000,000 for the 3-month period beginning on October 1, 2009.”

(2) **OBLIGATION OF AMOUNTS.**—Sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2010, and shall remain available until expended.

(b) **PROJECT GRANT AUTHORITY.**—Section 47104(c) of such title is amended by striking “September 30, 2009,” and inserting “December 31, 2009.”.

SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(l)(7) of title 49, United States Code, is amended by striking “October 1, 2009,” and inserting “January 1, 2010.”.

(b) Section 41743(e)(2) of such title is amended by striking “2009” and inserting “2010”.

(c) Section 44302(f)(1) of such title is amended—

(1) by striking “September 30, 2009,” and inserting “December 31, 2009.”; and

(2) by striking “December 31, 2009,” and inserting “March 31, 2010.”.

(d) Section 44303(b) of such title is amended by striking “December 31, 2009,” and inserting “March 31, 2010.”.

(e) Section 47107(s)(3) of such title is amended by striking “October 1, 2009,” and inserting “January 1, 2010.”.

(f) Section 47115(j) of such title is amended by inserting “and for the portion of fiscal year 2010 ending before January 1, 2010,” after “2009.”.

(g) Section 47141(f) of such title is amended by striking “September 30, 2009,” and inserting “December 31, 2009.”.

(h) Section 49108 of such title is amended by striking “September 30, 2009,” and inserting “December 31, 2009.”.

(i) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by inserting “, or in the portion of fiscal year 2010 ending before January 1, 2010,” after “fiscal year 2009”.

(j) Section 186(d) of such Act (117 Stat. 2518) is amended by inserting “and for the portion of fiscal year 2010 ending before January 1, 2010,” after “2009.”.

(k) Section 409(d) of such Act (49 U.S.C. 41731 note) is amended by striking “September 30, 2009,” and inserting “September 30, 2010.”.

(l) The amendments made by this section shall take effect on October 1, 2009.

SEC. 6. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k)(1) of title 49, United States Code, is amended—

(1) by striking “and” at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting “; and”; and

(3) by adding at the end the following:

“(F) \$2,338,287,375 for the 3-month period beginning on October 1, 2009.”.

SEC. 7. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a) of title 49, United States Code, is amended—

(1) by striking “and” at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting “; and”; and

(3) by adding at the end the following:

“(6) \$733,444,250 for the 3-month period beginning on October 1, 2009.”.

SEC. 8. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a) of title 49, United States Code, is amended—

(1) by striking “and” at the end of paragraph (12);

(2) by striking the period at the end of paragraph (13) and inserting “; and”; and

(3) by adding at the end the following:

“(14) \$46,250,000 for the 3-month period beginning on October 1, 2009.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill, H.R. 3607.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

We passed a bill to extend the programs of FAA to make wide-sweeping changes and improvements and increase the investment in the next-generation aviation technology in the previous Congress. We passed it again this

year. But, regrettably, the other body has not acted on that legislation. We therefore are required to come to the floor with a bill to extend and keep in place existing programs, and that's really unfortunate that we have to do it this way.

The gentleman from Illinois who is the Chair of the Aviation Subcommittee, the gentleman from Wisconsin, the ranking member, have put an enormous amount of time, dozens and dozens of hours of hearings and time spent deliberating with committee staff on the provisions of the bill. We've worked out a truly bipartisan piece of legislation that represents the biggest investment in aviation in the history of the program.

In 1958 when the Federal Aviation Administration was created and President Eisenhower signed into law the legislation moving it from the old Civil Aeronautics Authority to the Federal Aviation Administration, the investment was under a billion dollars in aviation. Earlier this year we brought to the floor a bill to invest over \$50 billion in the next 4 years in the Nation's aviation programs, in the construction of runways and taxiways on the hard side of airports, to improve terminals, to extend and increase the passenger facility charge so that airport authorities will have means by which to serve air travelers more efficiently, more effectively, with greater comfort and expediency than they're doing now. And on the technology side to make long-range investments, sustainable investments, in the future of air traffic control in the domestic airspace.

Goodness, a billion people traveled by air worldwide last year; 750 million of those traveled in the U.S. airspace. We have a responsibility to improve the speed with which air traffic controllers and the accuracy with which they communicate with aircraft and move aircraft in this vast airspace of ours. In addition to which, the United States has responsibility of over 3 million square miles of the Atlantic airspace and 18 million square miles of the Pacific airspace, both of which are fast-growing international air travel markets.

The transatlantic airspace is a \$35 billion market for us, and the Pacific airspace is a \$25 billion to \$28 billion, growing at 5 to 7 percent a year. But to make it effective and to support our carriers as well as carriers from other countries, we need to advance the oceanic guidance system for aircraft above 39,000 feet. We can't do that unless we provide the funding for the FAA to improve these technologies.

Until the other body moves on this legislation, we have to proceed with this short-term extension. I hope that our action will encourage the other body to move ahead.

Mr. Speaker, I yield the balance of my time to the gentleman from Illinois, the chairman of the subcommittee, Mr. COSTELLO, with authority to allocate time.

The SPEAKER pro tempore. Without objection, the gentleman from Illinois will control the time.

There was no objection.

Mr. COSTELLO. I thank Chairman OBERSTAR for yielding the time, and I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield myself such time as I may consume.

In the 110th Congress, the House passed the FAA Reauthorization Act of 2007, which was H.R. 2881. That legislation reauthorized the FAA for 4 years. In May of this year, the House voted again to pass a comprehensive reauthorization bill, this time numbered H.R. 915, the FAA Reauthorization Act of 2009.

Unfortunately, the Senate has been unable to come to an agreement on its bill over the last 2 years. So for the past 2 years, Congress has passed extensions of the Federal Aviation Administration's funding and authority through the end of budget year 2009. The latest extension expires next week. So today we're considering another extension.

H.R. 3607 would extend the taxes, programs, and funding of the FAA through December of 2009. This bill extends FAA funding and contract authority for 3 months; provides \$1 billion in Airport Improvement Program funding through December of 2009; extends the War Risk Insurance program; and extends the Small Community Air Service Development Program. H.R. 3607 would ensure that our National Aviation System continues to operate until a full FAA reauthorization can be enacted.

As I have indicated many times since the passage of the House FAA reauthorization bill back in 2007, we need to pass a long-term bill so that we can meet the growing demands placed on our Nation's aviation infrastructure. Modernizing our antiquated air traffic control system and repairing our crumbling infrastructure need to be at the top of our list of priorities. While I have some concerns with the House-passed bill, I look forward to addressing these issues in conference to develop bipartisan solutions on some of the more controversial provisions.

□ 1245

I urge our colleagues in the other body to complete their work on a comprehensive FAA reauthorization package in a timely fashion. While I am disappointed that the FAA has gone so long without a comprehensive reauthorization, I support this extension as the best alternative to keep the FAA and the national air space system running safely until we can take up and pass a bipartisanship and bicameral bill.

I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield myself such time as I may consume.

Again, I want to thank Chairman OBERSTAR for yielding time to me. I rise in support of H.R. 3607, the Federal Aviation Administration Extension

Act of 2009. I want to thank Chairman OBERSTAR, Ranking Member MICA, Mr. PETRI, and Chairman RANGEL and Ranking Member CAMP for bringing this legislation to the floor today. Chairman RANGEL of the Ways and Means Committee and Mr. CAMP were very cooperative in extending the taxes so we could do this extension today.

As Chairman OBERSTAR indicated, in a previous Congress and again in May of this year, the House passed the FAA Reauthorization Act of 2009, a long-term authorization of the FAA programs. We have been waiting on the other body for several months to bring a bill to the floor and pass it. In fact, it has been almost 2 years since Vision 100, the last FAA reauthorization bill, expired. Congress has been unable to pass a multiyear FAA bill; so then, instead of approving that bill, because of the other body, we have had to approve a series of short-term extensions. However, until H.R. 915 is signed into law, it is imperative that we not allow the FAA's critical programs to lapse.

The Aviation Trust Fund is currently operating under a short-term extension that expires on September 30, 2009. To that end, H.R. 3607 would extend not only the aviation taxes and expenditure authority, but also the Airport Improvement Program contract authority until December 31 of this year.

H.R. 3607 provides an additional \$1 billion in AIP contract authority, resulting in a full year contract authority level of \$4 billion for fiscal year 2009. These additional funds will allow airports to proceed with critical safety and capacity enhancement projects, particularly larger projects that require a full year's worth of AIP funds to move forward.

Mr. Speaker, aviation is too important to our Nation's economy, contributing \$1.2 trillion in output and approximately 11.4 million jobs, to allow the taxes or the funding for critical aviation programs to expire. Congress must ensure that this extension passes today to reduce delays and congestion, improve safety and efficiency, stimulate the economy, and create jobs. I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield such time as he may consume to the ranking Republican on the full Transportation and Infrastructure Committee, the gentleman from Florida (Mr. MICA).

Mr. MICA. Thank you for recognizing me, and I just want to take a minute to add my support for the reauthorization that is before us today. I want to associate myself with the comments of Chairman OBERSTAR, the full committee chairman. I am pleased as the ranking Republican on the committee to join him, and I also support Mr. COSTELLO in his statements for the reauthorization.

This delay in reauthorizing policy and projects and all of the Federal direction to the Federal Aviation Administration, this delay is unprecedented.

Not only has the House acted appropriately, we passed in the last Congress and we passed again in this Congress authorization. The other body has yet to act on this important matter and left us in limbo. I am hoping that this is, in fact, the last extension. This is, in fact, the seventh extension. This is, in fact, I believe, the longest period we have gone in history without in place policy and law authorizing the Federal Aviation Administration.

One of the major issues is behind us, and that is the issue of the air traffic controllers' contract. That has been resolved. The administration has cut a deal with the union. I think it has got about a three-quarters of a billion dollar price tag, but that is off the table. It was an item that was contentious.

This legislation should be able to be conferenced with the other body in less than an hour. There are just one or two remaining items. I cannot believe that we are here again with a seventh request for extension. We have no choice but to request this extension now. Hopefully, Congress can reach a bipartisan and bicameral accord and pass a long-term FAA reauthorization. It is critical for the next generation. It is critical for having a policy in place that runs one of the key safety regulatory agencies in our government vital to the aviation industry and the economy of our Nation.

So I am pleased to join Mr. OBERSTAR, Mr. COSTELLO, our ranking member, Mr. PETRI, and I am hoping that we can move forward both with this reauthorization and then with a permanent bill.

Mr. PETRI. I have no further requests for time, and I yield back the balance of my time.

Mr. COSTELLO. Mr. Speaker, I urge our colleagues to vote in favor of this extension. I join Mr. MICA and Mr. OBERSTAR and others in hoping that the other body will move very quickly on the reauthorization so we can get a bill on the President's desk. I urge my colleagues to support this extension.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 3607.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EXTENDING CONDOLENCES TO VICTIMS OF GEORGIA FLOODS

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 765) expressing condolences to the families of the individuals killed during unusual storms and floods in the State of Georgia between September 18 and 21, 2009, and expressing gratitude to all of the emergency personnel who continue to work with

unyielding determination to meet the needs of Georgia's residents.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 765

Whereas the State of Georgia has been hit by days of unusually strong storms that have resulted in downpours and flooding, beginning on September 18, 2009;

Whereas numerous Georgia rivers and creeks, including the Chattooga and Chattahoochee Rivers and Chickamauga Creek, swollen by days of rain, have overtopped their banks, creating a dangerous and deadly situation for nearby residents;

Whereas the storms and floods have taken human lives;

Whereas the floodwater has destroyed homes, flooded roadways, including major highways, compromised drinking water, severely damaged plumbing systems, and caused significant damage to homes and businesses;

Whereas on September 21, 2009, Georgia Governor Sonny Perdue declared a state of emergency in 17 counties, including Carroll, Catoosa, Chattooga, Cherokee, Clayton, Cobb, Crawford, DeKalb, Douglas, Forsyth, Fulton, Gwinnett, Newton, Paulding, Rockdale, Stephens, and Walker Counties;

Whereas the National Weather Service estimated that between 15 and 22 inches of rain have fallen in the metropolitan Atlanta counties of Gwinnett, Douglas, and Paulding between September 18 and 21, 2009;

Whereas the rains have broken a 130-year-old record at Hartsfield-Jackson International Airport;

Whereas hundreds of Georgians have been evacuated from their homes and over 300 people are seeking refuge in shelters;

Whereas the Governor estimates that over 1,000 residences are seriously flooded;

Whereas the weather has closed schools in several counties;

Whereas as many as tens of thousands of people have been without power in metropolitan Atlanta;

Whereas search and rescue operations are continuing in several counties where the water continues to rise;

Whereas the Georgia Emergency Management Agency has coordinated with local emergency personnel and has worked tirelessly to protect human lives and rescue those threatened by the floods;

Whereas the Georgia Emergency Management Agency continues to facilitate requests for assistance from citizens and first responders all across the State of Georgia;

Whereas the Georgia Emergency Management Agency and other first responders have acted valiantly in life safety response operations, including delivering sandbags and rescuing people trapped in their cars and homes from the floodwater;

Whereas the Federal Emergency Management Agency has activated its national and regional response coordination centers and is working closely with the State of Georgia to monitor the response efforts and identify and respond to any immediate emergency needs for the citizens and communities of the State that are impacted by these devastating floods; and

Whereas volunteers are giving their time to help ensure that evacuees are sheltered, clothed, fed, and comforted through this traumatic event: Now, therefore, be it

Resolved, That the House of Representatives—

(1) offers its deepest sympathy and condolences to the families of those who lost their lives in the flooding in the State of Georgia;

(2) expresses its condolences to the families who lost their homes and other property in the floods;

(3) expresses gratitude and appreciation to the people of the State of Georgia and the surrounding States, who continue to work to protect people from the still rising floodwaters;

(4) expresses its support as the Federal Emergency Management Agency continues its efforts to respond to any needs of the citizens and communities affected by the flooding; and

(5) honors the emergency responders, within and beyond metropolitan Atlanta and the State of Georgia, for their bravery and sacrifice during this tragedy.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 765.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume. I rise in strong support of H. Res. 765.

We have come to this floor many times over the past 2½ years with resolutions to express our condolences for victims of the ravages of nature, to the first responders, to the families of the victims, and we are here again in the wake of unprecedented flooding in Georgia following on an extraordinary period of drought in that State.

This tragic disaster, the complete toll for which has yet to be calculated, is a reminder that amidst all of our concern for homeland security, as my good friend, former chairman of the Committee on Transportation and Infrastructure, DON YOUNG said many times, we face that tragedy every year with disasters in the form of nature's ravages upon our countryside, and we are here and we meet again today to thank the men and women who serve the Nation, serve the State of Georgia and the people of that State as police officers, firefighters, emergency managers, emergency medical personnel, who every day place themselves in danger to save the lives of their fellow citizens. Not only in Georgia but all over this country, we all see it, each of us in our districts.

When tragedy comes calling, whether an emergency medical problem facing a neighbor or large-scale natural disaster, the Nation's emergency responders, our charitable organizations, are the first ones on the scene to provide their professional help and their comfort and their support. They are well-trained, highly skilled people on the front lines within this country responding to the needs of people and

also responding to mitigate the damage and the ravage of natural disasters.

This is also National Preparedness Month, and while the devastation in Georgia and surrounding States is tragic, this is an opportunity for us to think in a broader context of all of the types of disasters, whether fire on the west coast in California or flood on the east coast, are constantly a threat to our fellow citizens.

Mr. Speaker, at this point I yield to the gentleman from Georgia (Mr. LEWIS) such time as he may consume.

Mr. LEWIS of Georgia. Mr. Speaker, I rise to thank Chairman OBERSTAR and members of the Transportation and Infrastructure Committee for moving with all deliberate speed to bring this resolution to the floor today.

As many of you know, for the past week it has been raining all over the State of Georgia. In some parts of the State, the rain has been devastating. I offer this resolution with my colleagues from the State of Georgia to express my sincerest sympathies to the families of those who have lost their loved ones in the floods. This is a terrible tragedy for the people of the State of Georgia. Some families have lost their homes; they have lost everything.

I am deeply concerned about the damage this flooding has caused to homes and businesses, to roads and bridges. Some schools in the State remain closed, and at least one school has been destroyed. The Governor is estimating that the damage will rise into the hundreds of millions of dollars, and that is based on what can be seen. Many areas are still underwater, and we hear that the rain is not yet over.

I appeal to the citizens of Georgia to be careful as you move around. It is impossible to know how deep the waters are or how fast they are moving.

Finally, I want to thank all of the emergency personnel for all of their hard work in protecting people from the dangers of the floodwaters.

I know that my colleagues join me in my commitment to working with the State, city and county officials, as well as FEMA and the Federal Government, to ensure that the State of Georgia has everything it needs to protect human life and to help our citizens rebuild and recover from these unbelievable waters, this unbelievable flood.

Mr. Speaker, I urge all Members of this body to support this resolution.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

This resolution would express the condolences of this Congress to the families of those tragically lost during the storms and floods that hit Georgia earlier this week. As our distinguished chairman explained earlier, it would also serve to recognize and remind the American people of the work of the emergency responders, the first responders during this disaster and, frankly, during all disasters.

Earlier this week, those storms hit part of the Southeast, soaking the region for days. In many cases it is still

going on and causing significant flooding. Those rains caused severe flooding, destroying bridges and forcing hundreds and hundreds of people to be evacuated. Unfortunately, those same floodwaters caused a number of tragic deaths, including the death of a 2-year-old boy.

We Floridians, unfortunately, know all too well what kind of devastation a storm like this can cause.

□ 1300

We also have been able to see firsthand the first responders and other emergency personnel and the Red Cross, how they continuously work tirelessly, as they are doing right now as we speak, to respond in the aftermath to those who are hurting and suffering still.

So I do think that it is very fitting to remember those lives that have been lost, tragically lost, and to once again express our deep profound gratitude to those involved in the response and the recovery effort.

I also want to thank the distinguished chairman of the committee, Mr. OBERSTAR, for bringing this up so quickly. I support passage of the resolution and urge my colleagues to do the same.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Georgia (Mr. DEAL).

Mr. DEAL of Georgia. I thank the gentleman for yielding.

Yesterday, I visited the sections in my congressional district that were affected by the floods that were brought on by the torrential rains that our State has experienced. I was accompanied on that visit by county commissioners and other State and local officials.

Having seen the devastation that has been brought on by these rising waters, I am pleased to join with my other colleagues from Georgia in urging President Obama to declare portions of Georgia, including three counties in my congressional district, to be Federal disaster areas. I was deeply moved by the flood damage that was caused in the counties of Catoosa, Forsyth and Walker that are in my district. Chickamauga Creek was nearing its crest, and there are a number of homes and businesses that are now covered or partially covered by deep, muddy water.

Unfortunately, many of those who are affected by this are not covered by the standard insurance policies, and therefore they are going to be left without any help other than the help already being provided by churches and civic organizations and other parts of our community as they respond to the needs of their fellow citizens. Therefore, I urge the President to begin the process immediately of providing Federal assistance.

Citizens of Georgia have always been willing to respond when disaster strikes, and many of our citizens have gone to other parts of the country when hurricanes had hit. I know that

as this water subsides there will be organized volunteers who will come to the aid of the citizens in our State.

I am also hopeful that people of faith will continue to join me in praying for those who are hurting for the loss of their loved ones and the loss of their home and their other possessions. We should pray for those who are willing to volunteer during this time of tragedy, sometimes at great risk.

I applaud the work of the local and State emergency responders who have been on duty, both before and after this storm. Public safety agencies have once again risen to the occasion, and I want to extend my thanks to each of them, because many of them have been on duty around the clock. We have so many professionals who work tirelessly to make certain that our communities are safe and that people are rescued when they are in peril, and such is the case in our State today.

Mr. Speaker, I therefore wholeheartedly support this resolution and urge its adoption.

Mr. OBERSTAR. Mr. Speaker, although our Speaker is in line to address us, she has graciously agreed to yield to the gentleman from Georgia.

I yield such time as he may consume to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Thank you so much, Chairman OBERSTAR, and thank you for your graciousness, Madam Speaker, and your offer of help and condolences that you have extended to each member of our Georgia delegation and to all the people of Georgia. We thank you for your concern, and yours, Mr. Chairman.

I certainly rise with a heavy heart. This is an extraordinarily challenging time for the people of my State of Georgia and certainly for people in my congressional district, for, Mr. Speaker, of the nine persons that have lost their lives so far, six of them have come from my district, and, as a matter of fact, six have come from one county, and that is Douglas County. So our hearts and our prayers go out for all of these families.

Rest assured that this Congress has their thoughts and their needs deep in our bosom at this time of great sacrifice and of great hurt and pain. It is important for the people of Georgia to know that we in Congress are moving swiftly in concert with our President to make sure that this gets the signature of a statement of national emergency and a declaration of emergency, because until that happens, we will not be able to get the funds that are needed.

That is what is of utmost importance now. There are people without homes. There are people without homes without any flood insurance, which means that that would be on their backs to pay for, which many do not have. The estimate of damage is over \$300 million as we speak and continues to grow. So we need to move with all swiftness, with all quick dispatch, to get this

Federal aid down and to make sure that the people, particularly in those areas that were hit throughout Metro Atlanta, but also in the areas of Cobb County in my district.

We have been in touch with our county commissions in those areas, with Tom Wortham in Douglas County and the mayor of Douglasville, Mayor Mickey Thompson, who are working feverishly to make sure that they are responding to the needs of our citizens.

So, Mr. Speaker, Mr. Chairman, all the Members of the Congress, we certainly appreciate the condolences, and we appreciate the care and the sincerity that this Congress is expressing to the people of Georgia, and we assure the people of Georgia that we will get the help down to them quickly.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve my time.

Mr. OBERSTAR. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. PELOSI), our distinguished Speaker of the House.

Ms. PELOSI. I thank the gentleman for yielding and for giving us this opportunity to come to the floor to express on the floor of the House our condolences to the people of Georgia in this very, very sad time.

Thank you, Mr. Chairman, and Members of the Georgia delegation, for calling attention to the serious flooding in Georgia and other parts of the American southeast and again with this resolution to offer our condolences on behalf of all Members of the Congress.

Of course, we offer our condolences to those who lost their lives. We are sad for those who have lost their homes and their livelihoods. Those lost, as Mr. DAVID SCOTT referenced, include nine people dead, dozens stranded and more than 30,000 without electricity. Those lost included a teenage boy trying to rescue another in danger; a mother of two young children; and a very young child, 2 years old, swept away from his father's arms. When that word came over the TV, my colleagues, all of America wept. It is just so sad. Our hearts ache for those who have lost so much.

But in the emerging sun, what do we see? We see neighbors coming to the aid of neighbors and the tireless work of our first responders.

Members of Congress are being briefed on the ongoing events by our members of the Georgia delegation. Thank you, Mr. LEWIS, for being the author of this resolution. We are all trying to reach out to see what we can do to help individually in conversation and as a Congress.

I know that President Obama will act upon the request that he has just received. He has received the request from Governor Perdue. Now he has received the formal documentation from FEMA, and I am certain that it will be addressed immediately.

The thoughts and prayers of this entire Congress and the people we represent, the American people, are with

the people of Georgia today and in these days ahead as we work with them to ensure that they have all that they need. I hope it is some level of comfort to them that their representatives on both sides of the aisle from Georgia have made us fully aware of the direct impact that the rains have had on Georgia. We stand ready to help with whatever we can do officially, but always with what we can do in our prayers.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve my time.

Mr. OBERSTAR. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Georgia (Mr. JOHNSON), whose district also covers a great portion of the area ravaged by the floods.

Mr. JOHNSON of Georgia. Thank you, Mr. Chairman.

Mr. Speaker, my constituents are suffering greatly this week. In just 72 hours, the Atlanta metropolitan area has received 15 to 22 inches of relentless rain, causing widespread flooding, numerous deaths and hundreds of millions of dollars of property damage.

I rise today, Mr. Speaker, to express my deepest concern for the victims of this terrible flood, to join Governor Perdue in urging the President to declare an emergency for the State of Georgia, and to urge passage of the resolution before us.

Sponsored by my colleague, Congressman JOHN LEWIS of Atlanta, this resolution will offer our sympathy to flood victims and our gratitude to those heroes who have worked tirelessly to protect people from the floodwaters.

I know that Speaker PELOSI is doing everything that she can to assist the people of Georgia, and for that I thank her. As a matter of fact, as early as yesterday morning she was on the phone with each of us to express her concerns and to also pledge any assistance that she could give. So we appreciate that.

Governor Perdue and President Obama have been on the phone coordinating efforts to deal with this national disaster. I applaud the Governor for the State's competent and effective response, and I join him in urging our President to make available Federal funds to supplement Georgia's efforts to mitigate the effects of the flood.

Mr. Speaker, my constituents and all the residents of flooded areas in the American South have shown tremendous courage in the face of washed-out roads, destroyed homes and treacherous conditions. Let us pass this resolution as a small token of our empathy and support.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I have no further speakers and yield back my time.

Mr. OBERSTAR. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the

rules and agree to the resolution, H. Res. 765.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1315

PROVIDING FOR CONSIDERATION OF H.R. 324, SANTA CRUZ VALLEY NATIONAL HERITAGE AREA ACT

Mr. CARDOZA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 760 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 760

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 324) to establish the Santa Cruz Valley national Heritage Area, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. CARDOZA. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from North Carolina (Ms. FOXX). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. CARDOZA. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 760.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CARDOZA. Mr. Speaker, I yield myself as much time as I may consume.

House Resolution 760 provides for the consideration of House Resolution 324, the Santa Cruz Valley National Heritage Area Act. The rule provides 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. The rule waives

all points of order against consideration of the bill, except for clause 9 and clause 10 of rule XXI. Mr. Speaker, the rule also provides for the adoption of an amendment printed in the Rules Committee report to clarify that the bill does not in any way modify, alter or amend any border enforcement authority. Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, the bill before us today, H.R. 324, designates the Santa Cruz Valley region of southern Arizona as a National Heritage Area. The Santa Cruz Valley is one of America's longest inhabited regions, with traces of human occupation extending back more than 12,000 years. The region was at the center of centuries of Native American cultural history. It also served as a corridor of Spanish exploration, colonization, missionary activity, as well as a frontier of Mexican and early American mining, ranching and agriculture.

The heritage area includes two national parks, two national historic trails, four State parks, six county parks, four major lakes, two designated scenic highways, and hundreds of miles of back-country trails and urban bikeways. It also includes 32 museums, 28 districts, 102 individual buildings listed on the National Register of Historic Places, as well as dozens of prehistoric and historic archaeological sites. A July 2005 study by the Center for Desert Archaeology, on which the bill is based, examined the many resources in the region. The National Park Service reviewed the study and found that the area meets the 10 criteria for proposed heritage areas.

Designating the Santa Cruz Valley as a heritage area allows the Park Service to support the State and local conservation efforts through Federal recognition, seed money and technical assistance. This simply means that local groups will have the resources they need to educate the public about the historic, cultural and natural value of the area.

I would like to commend my good friends, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Arizona (Ms. GIFFORDS), for bringing this legislation to the floor today so that we can ensure that America's history and natural wonderment is protected for future generations.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself as much time as I may consume.

I rise today to urge my colleagues to vote against the rule for the bill H.R. 324, the Santa Cruz Valley National Heritage Area Act, a bill that has already failed when it was offered under suspension earlier this month.

It disappoints me to have to come here and urge opposition to this rule for a bill offered by my colleague Congressman GRIJALVA. However, there are many reasons to oppose this bill coming to the floor. The bill failed by a vote of 249-145 just 2 weeks ago. It is a

waste of our constituents' time to bring this bill forward again under a rule and take up legislative time to debate something that has already been voted down, especially since the bill did not go through the committee.

I also learned yesterday in the Rules Committee that this bill was a part of S. 22, the Omnibus Public Land Management Act of 2009, but it was taken out by the Senate, which is not a good omen for the bill when it goes to the Senate.

When I was in North Carolina over the August recess, my constituents expressed many concerns with Congress in what's going on in Washington. The Democrats in charge are not allowing us to accomplish the work that our constituents elected us to do. Instead, this Congress is borrowing and spending money that we do not have at a rate our country has never seen. While our constituents at home are tightening their belts and struggling to find ways to put food on their kitchen tables, Congress is blindly writing checks for unnecessary measures that do nothing but increase the size of the Federal Government and put our country in debt to foreign nations.

This bill authorizes another \$15 million in taxpayer dollars to seize 3,325 square miles of land for control by the Federal Government, some of which is private property. The designation in this bill could lead to restrictive Federal zoning and land use planning that usurps private property rights and blocks necessary energy development. National Heritage Areas are comprised of both public and private lands and are administered by a central managing entity, which includes the Federal Government and Federal funds. The managing entity has the power to regulate zoning and place other restrictions across local government jurisdictions. This means Federal management plans can restrict our residential and commercial property owners to make use of their private property without any notice or warning.

The National Park Service currently has billions of dollars in maintenance backlogs. Earlier this year, Congress passed S. 22, the Omnibus Public Land Management Act of 2009. It created 10 new National Heritage Areas at a cost of \$103.5 million. The Santa Cruz Valley National Heritage Area Act locks up even more land, infringes on more private property rights, and spends more taxpayer dollars to add yet another heritage area to a system already overburdened.

Furthermore, the proposed 3,325-square-mile heritage area in Arizona is located in the most heavily trafficked drug and human trafficking area along the U.S. border. The U.S. Border Patrol already experiences major difficulties and obstacles patrolling Federal lands. Designating this heritage area along the border would add even more complications to their ability to prevent illegal drug trafficking and crossings. Creating more obstacles for the U.S.

Border Patrol is detrimental to our ability to get illegal immigration and drug trafficking under control and represents irresponsible governing.

Mr. Speaker, the U.S. national debt stands at \$11.8 trillion and counting. The nonpartisan Congressional Budget Office has predicted that huge deficits under the Obama administration's annual budget would force our Nation to borrow nearly \$9.3 trillion over the next decade. This year's deficit alone is expected to soar past \$1.8 trillion. We borrow 50 cents for every dollar we spend. The time to rein in Federal spending is long overdue. Voting down this rule will take one small step in harnessing the Federal Government's spending as well as the Federal Government's increasing control of private land. This Pelosi-controlled Congress seems intent on putting the government in control of every aspect of our lives—education, health care and private property.

Again, Mr. Speaker, I urge a "no" vote on the rule and on the bill.

Having no further speakers, I yield back the balance of my time.

Mr. CARDOZA. Mr. Speaker, I would like to say in response and in my close that this bill, in fact, does not regulate zoning, as the gentlelady indicated. It does not have any effect on private property rights. In fact, I'm told that the entire State of Tennessee is part of a heritage area, and we would not think of the entire State of Tennessee as being affected with private property rights effects.

I would submit to you that we would know, just from that designation alone, that it is similar to this one that we are passing today, that the citizens of Tennessee are not affected in their private property rights with that heritage area designation. This bill is subject to appropriation, a \$15 million maximum over 15 years, that would have to be voted on by the Appropriations Committee, then subject to appropriation in both the House and the Senate, subject to signature by the President.

Mr. Speaker, National Heritage Area designations have no regulatory consequences whatsoever. This bill specifically says that nothing in it diminishes the authority of the State to regulate fishing, hunting and the management of fish and wildlife. It includes extensive protections for private property owners and prohibits the use of Federal funds received under the act for land acquisition. It would in no way have any impact on border protection and any other law enforcement effort. Additionally, the language was self-executed in the rule which specifically states that nothing in the bill modifies, alters or amends any other border enforcement authority.

The gentlelady indicated that the bill failed. The bill failed under a two-thirds requirement. In fact, it got well over 240 votes to 140 votes in the negative. The bill got 100 votes more than a majority. I think this bill has tremen-

dous support on this floor. In fact, it has tremendous support in the State of Arizona. It's a good measure, and I believe it will pass overwhelmingly when it comes back under a rule in this House.

Mr. Speaker, I would ask that we support this bill. As I said earlier, this bill is not only important to our Nation's history, it is also important that America's most treasured resources are protected for future generations. It deserves the strong support of my colleagues on both sides of the aisle.

Mr. Speaker, I urge a "yes" vote on the rule and on the previous question.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. FOXX. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adopting House Resolution 760 will be followed by 5-minute votes on suspending the rules with regard to House Resolution 765, H.R. 2215, if ordered, and H.R. 3614.

The vote was taken by electronic device, and there were—yeas 244, nays 177, not voting 11, as follows:

[Roll No. 723]

YEAS—244

Ackerman	Cummings	Holden
Adler (NJ)	Dahlkemper	Holt
Andrews	Davis (AL)	Honda
Arcuri	Davis (CA)	Hoyer
Baca	Davis (IL)	Inslee
Baird	Davis (TN)	Israel
Baldwin	DeFazio	Jackson (IL)
Barrow	DeGette	Jackson-Lee
Bean	DeLauro	(TX)
Becerra	Dicks	Johnson (GA)
Berkley	Dingell	Johnson, E. B.
Berman	Doggett	Kagen
Berry	Donnelly (IN)	Kanjorski
Bishop (GA)	Driehaus	Kaptur
Bishop (NY)	Edwards (MD)	Kennedy
Blumenauer	Edwards (TX)	Kildee
Boccheri	Ellison	Kilpatrick (MI)
Boren	Ellsworth	Kilroy
Boswell	Engel	Kind
Boucher	Eshoo	Kirkpatrick (AZ)
Boyd	Etheridge	Kissell
Brady (PA)	Farr	Klein (FL)
Braley (IA)	Filner	Kosmas
Bright	Frank (MA)	Kratovil
Brown, Corrine	Fudge	Kucinich
Butterfield	Giffords	Langevin
Capps	Gonzalez	Larsen (WA)
Cardoza	Gordon (TN)	Larson (CT)
Carnahan	Grayson	Lee (CA)
Carney	Green, Al	Levin
Carson (IN)	Green, Gene	Lewis (GA)
Castor (FL)	Griffith	Lipinski
Chandler	Grijalva	Loebsack
Chu	Gutierrez	Lofgren, Zoe
Clarke	Hall (NY)	Lowey
Clay	Halvorson	Lujan
Cleaver	Hare	Lynch
Clyburn	Harman	Maffei
Cohen	Hastings (FL)	Maloney
Connolly (VA)	Heinrich	Markey (CO)
Conyers	Herseth Sandlin	Markey (MA)
Cooper	Higgins	Marshall
Costa	Himes	Massa
Costello	Hinchey	Matheson
Courtney	Hinojosa	Matsui
Crowley	Hirono	McCarthy (NY)
Cuellar	Hodes	McCollum

McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perriello
Peters
Peterson

Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Smith (WA)

Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—177

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Fortenberry
Foster

Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Schock
Sensenbrenner
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris
Rodgers
Mica
Miller (FL)

Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Abercrombie
Barrett (SC)
Capuano
Delahunt

Doyle
Fattah
Forbes
Perlmutter

Radanovich
Slaughter
Smith (NJ)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1354

Ms. FALLIN, Messrs. ROE of Tennessee, HALL of Texas, and POE of Texas changed their vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 723, had I been present, I would have voted “yea.”

Mr. PERLMUTTER. Mr. Speaker, on rollcall No. 723, I was unavoidably detained and missed the vote on House Resolution 760. Had I been present, I would have voted “yea.”

EXTENDING CONDOLENCES TO VICTIMS OF GEORGIA FLOODS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 765, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and agree to the resolution, H. Res. 765.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 11, as follows:

[Roll No. 724]
YEAS—421

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bocciari
Boehner

Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)

Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)

Davis (TN)
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Fortenberry
Foster
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy

Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsock
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz

Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus

Tonko Wasserman Wilson (OH)
 Towns Schultz Wilson (SC)
 Tsongas Waters Wittman
 Turner Watson Wolf
 Upton Watt Woolsey
 Van Hollen Waxman Wu
 Velázquez Weiner Yarmuth
 Visclosky Welch Young (AK)
 Walden Westmoreland Young (FL)
 Walz Wexler
 Wamp Whitfield

NOT VOTING—11

Abercrombie Doyle Pingree (ME)
 Barrett (SC) Forbes Radanovich
 Capuano McMahon Smith (NJ)
 Delahunt Murphy (CT)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in the vote.

□ 1402

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MCMAHON. Mr. Speaker, on rollcall No. 724, had I been present, I would have voted "yea."

JOHN J. SHIVNEN POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 2215.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 2215.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. CONNOLLY of Virginia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 423, noes 0, not voting 9, as follows:

[Roll No. 725]

AYES—423

Ackerman Berman Boyd
 Aderholt Berry Brady (PA)
 Adler (NJ) Biggart Brady (TX)
 Akin Bilbray Braley (IA)
 Alexander Bilirakis Bright
 Altmire Bishop (GA) Broun (GA)
 Andrews Bishop (NY) Brown (SC)
 Arcuri Bishop (UT) Brown, Corrine
 Austria Blackburn Brown-Waite,
 Baca Blumenauer Ginny
 Bachmann Blunt Buchanan
 Bachus Boccieri Burgess
 Baird Boehner Burton (IN)
 Baldwin Bonner Butterfield
 Barrow Bono Mack Buyer
 Bartlett Boozman Calvert
 Barton (TX) Boren Camp
 Bean Boswell Campbell
 Becerra Boucher Cao
 Berkley Boustany Capito

Capps Hastings (FL)
 Cardoza Hastings (WA)
 Carnahan Heinrich
 Carney Heller
 Carson (IN) Hensarling
 Carter Herger
 Cassidy Hereth Sandlin
 Castle Higgins
 Castor (FL) Hill
 Chaffetz Himes
 Chandler Hinchey
 Childers Hinojosa
 Chu Hirono
 Clarke Hodes
 Clay Hoekstra
 Cleaver Holden
 Clyburn Holt
 Coble Honda
 Coffman (CO) Hoyer
 Cohen Hunter
 Cole Inglis
 Conaway Inslee
 Connolly (VA) Israel
 Conyers Issa
 Cooper Jackson (IL)
 Costa Jackson-Lee
 Costello (TX)
 Courtney Jenkins
 Crenshaw Johnson (GA)
 Crowley Johnson (IL)
 Cuellar Johnson, E.B.
 Culberson Johnson, Sam
 Cummings Jones
 Dahlkemper Jordan (OH)
 Davis (AL) Kagen
 Davis (CA) Kanjorski
 Davis (IL) Kaptur
 Davis (KY) Kennedy
 Davis (TN) Kildee
 Deal (GA) Kilpatrick (MI)
 DeFazio Kilroy
 DeGette Kind
 DeLauro King (IA)
 Dent King (NY)
 Diaz-Balart, L. Kingston
 Diaz-Balart, M. Kirk
 Dicks Kirkpatrick (AZ)
 Dingell Kissell
 Doggett Klein (FL)
 Donnelly (IN) Kline (MN)
 Dreier Kosmas
 Driehaus Kratovil
 Duncan Kucinich
 Edwards (MD) Lamborn
 Edwards (TX) Lance
 Ehlers Langevin
 Ellison Larsen (WA)
 Ellsworth Larson (CT)
 Emerson Latham
 Engel LaTourette
 Eshoo Latta
 Etheridge Lee (CA)
 Fallin Lee (NY)
 Farr Levin
 Fattah Lewis (CA)
 Filner Lewis (GA)
 Flake Linder
 Fleming Lipinski
 Fortenberry LoBiondo
 Foster Loebbeck
 Foxx Lofgren, Zoe
 Frank (MA) Lowey
 Franks (AZ) Lucas
 Frelinghuysen Luetkemeyer
 Fudge Luján
 Gallegly Lummis
 Garrett (NJ) Lungren, Daniel
 Gerlach E.
 Giffords Lynch
 Gingrey (GA) Mack
 Gohmert Maffei
 Gonzalez Maloney
 Goodlatte Manullo
 Gordon (TN) Marchant
 Granger Markey (CO)
 Graves Marshall
 Grayson Massa
 Green, Al Matheson
 Green, Gene Matsui
 Griffith McCarthy (CA)
 Grijalva McCarthy (NY)
 Guthrie McCaul
 Gutierrez McClintock
 Hall (NY) McCollum
 Hall (TX) McCotter
 Halvorson McDermott
 Hare McGovern
 Harman McHenry
 Harper McIntyre

McIntyre
 McKeon
 McMahon
 McMorris
 Rodgers
 McNeerney
 Meek (FL)
 Meeks (NY)
 Melancon
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Minnick
 Mitchell
 Mollohan
 Moore (KS)
 Moore (WI)
 Moran (KS)
 Moran (VA)
 Murphy (CT)
 Murphy (NY)
 Murphy, Patrick
 Murphy, Tim
 Murtha
 Myrick
 Nadler (NY)
 Napolitano
 Neal (MA)
 Neugebauer
 Nunes
 Nye
 Oberstar
 Obey
 Olson
 Olver
 Ortiz
 Pallone
 Pascarell
 Pastor (AZ)
 Paul
 Paulsen
 Payne
 Pence
 Perlmutter
 Perriello
 Peters
 Peterson
 Petri
 Pingree (ME)
 Pitts
 Platts
 Poe (TX)
 Polis (CO)
 Pomeroy
 Posey
 Price (GA)
 Price (NC)
 Putnam
 Quigley
 Rahall
 Rangel
 Rehberg
 Reichert
 Reyes
 Richardson
 Rodriguez
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rooney
 Ros-Lehtinen
 Roskam
 Ross
 Rothman (NJ)
 Roybal-Allard
 Royce
 Ruppertsberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Salazar
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schakowsky
 Schauer
 Schiff
 Schmidt
 Schock
 Schrader
 Schwartz

Scott (GA)
 Scott (VA)
 Sensenbrenner
 Serrano
 Sessions
 Sestak
 Shadegg
 Shea-Porter
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Skelton
 Slaughter
 Smith (NE)
 Smith (TX)
 Smith (WA)
 Snyder
 Souder
 Space
 Speier
 Spratt

NOT VOTING—9

Abercrombie Capuano Forbes
 Barrett (SC) Delahunt Radanovich
 Cantor Doyle Smith (NJ)

□ 1410

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SMALL BUSINESS ADMINISTRATION EXTENSION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3614, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 3614.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 2, not voting 13, as follows:

[Roll No. 726]

YEAS—417

Ackerman Boehner Carnahan
 Aderholt Bonner Carney
 Adler (NJ) Bono Mack Carson (IN)
 Akin Boozman Carter
 Alexander Boren Cassidy
 Altmire Boswell Castle
 Andrews Boucher Castor (FL)
 Arcuri Boustany Chaffetz
 Austria Boyd Childers
 Baca Brady (PA) Chu
 Bachmann Brady (TX) Clarke
 Baird Braley (IA) Clay
 Baldwin Bright Cleaver
 Barrow Broun (GA) Clyburn
 Bartlett Brown (SC) Coble
 Barton (TX) Brown, Corrine Coffman (CO)
 Bean Brown-Waite, Cohen
 Bean Ginny Cole
 Berkley Buchanan Conaway
 Berman Burgess Connolly (VA)
 Berry Burton (IN) Conyers
 Biggart Butterfield Cooper
 Bilbray Buyer Costa
 Bilirakis Calvert Costello
 Bishop (GA) Camp Courtney
 Bishop (NY) Campbell Crenshaw
 Bishop (UT) Cantor Crowley
 Cao Cuellar
 Capito Culberson
 Capps Cummings
 Cardoza Dahlkemper

Davis (AL) Kanjorski Oberstar
 Davis (CA) Kaptur Obey
 Davis (IL) Kennedy Olson
 Davis (KY) Kildee Olver
 Davis (TN) Kilpatrick (MI) Ortiz
 Deal (GA) Kilroy Pallone
 DeFazio Kind Pascarell
 DeGette King (IA) Pastor (AZ)
 DeLauro King (NY) Paulsen
 Dent Kingston Payne
 Diaz-Balart, L. Kirk Pence
 Diaz-Balart, M. Kirkpatrick (AZ) Perlmutter
 Dicks Kissell Perriello
 Dingell Klein (FL) Peters
 Doggett Kline (MN) Peterson
 Donnelly (IN) Kosmas Petri
 Dreier Kratochvil Pingree (ME)
 Driehaus Kucinich Pitts
 Duncan Lamborn Platts
 Edwards (MD) Edwards (TX) Lance
 Ehlers Langevin Pomeroy
 Ellison Larsen (WA) Posey
 Ellsworth Larson (CT) Price (GA)
 Emerson Latham Price (NC)
 Engel LaTourette Putnam
 Eshoo Latta Quigley
 Etheridge Lee (CA) Rahall
 Fallon Lee (NY) Rangel
 Farr Levin Rehberg
 Fattah Lewis (CA) Reichert
 Filner Lewis (GA) Reyes
 Flinter Linder Richardson
 Florentin Lipinski Rodriguez
 Foster LoBiondo Roe (TN)
 Foxx Loeb sack Rogers (AL)
 Frank (MA) Lofgren, Zoe Rogers (KY)
 Franks (AZ) Lowey Rogers (MI)
 Frelinghuysen Lucas Rohrabacher
 Fudge Luetkemeyer Rooney
 Gallegly Luján Roskam
 Garrett (NJ) Lummis Ross
 Gerlach Lungren, Daniel
 Giffords E. Royce
 Gingrey (GA) Lynch Ruppertsberger
 Gohmert Mack Rush
 Gonzalez Maffei Ryan (OH)
 Goodlatte Maloney Ryan (WI)
 Gordon (TN) Marchant Salazar
 Granger Markey (CO) Sánchez, Linda
 Graves Markey (MA) T.
 Grayson Marshall Sanchez, Loretta
 Green, Al Massa Sarbanes
 Green, Gene Matheson Scalise
 Griffith Matsui Schakowsky
 Grijalva McCarthy (CA) Schauer
 Guthrie McCarthy (NY) Schiff
 Gutierrez McCaul Schmidt
 Hall (NY) McClintock Schock
 Hall (TX) McCollum Schrader
 Halvorson McCotter Schwartz
 Hare McDermott Scott (GA)
 Harman McGovern Scott (VA)
 Harper McHenry Sensenbrenner
 Hastings (FL) McIntyre Serrano
 Hastings (WA) McKeon Sessions
 Heinrich McMahon Sestak
 Heller McMorris Shea-Porter
 Hensarling Rodgers Sherman
 Herger McNeerney Shimkus
 Hereth Sandlin Meek (FL) Shuler
 Higgins Meeks (NY) Shuster
 Hill Melancon Simpson
 Himes Mica Sires
 Hinchey Michaud Skelton
 Hinojosa Miller (FL) Slaughter
 Hirono Miller (MI) Smith (NE)
 Hodes Miller (NC) Smith (TX)
 Hoekstra Miller, Gary Smith (WA)
 Holden Miller, George Snyder
 Holt Minnick Souder
 Honda Mitchell Space
 Hoyer Mollohan Speier
 Hunter Moore (KS) Spratt
 Inglis Moore (WI) Stark
 Inslee Moran (KS) Stearns
 Israel Moran (VA) Stupak
 Issa Murphy (CT) Sullivan
 Jackson (IL) Murphy (NY) Sutton
 Jackson-Lee Murphy, Patrick Tanner
 (TX) Murphy, Tim Taylor
 Jenkins Murtha Teague
 Johnson (GA) Myrick Terry
 Johnson (IL) Nadler (NY) Thompson (CA)
 Johnson, E.B. Napolitano Thompson (MS)
 Johnson, Sam Neal (MA) Thompson (PA)
 Jones Neugebauer Thornberry
 Jordan (OH) Nunes Tiahrt
 Kagen Nye Tiberi

Tierney Walz Wexler
 Titus Wamp Whitfield
 Tonko Wasserman Wilson (OH)
 Towns Schultz Wilson (SC)
 Tsongas Waters Wittman
 Turner Watson Wolf
 Upton Watt Woolsey
 Van Hollen Waxman Wu
 Velázquez Weiner Yarmuth
 Visclosky Welch Young (AK)
 Walden Westmoreland Young (FL)

NAYS—2

Flake Paul

NOT VOTING—13

Abercrombie Delahunt Ros-Lehtinen
 Barrett (SC) Doyle Shadegg
 Becerra Forbes Smith (NJ)
 Capuano Poe (TX)
 Chandler Radanovich

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1416

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CHANDLER. Mr. Speaker, on rollcall 726, had I been present, I would have voted “yea.”

PERSONAL EXPLANATION

Mr. ABERCROMBIE. Mr. Speaker, I regret that I missed rollcall vote nos. 720–726. Had I been present, I would have voted “aye” on all rollcall votes.

SANTA CRUZ VALLEY NATIONAL HERITAGE AREA ACT

Mr. GRIJALVA. Mr. Speaker, pursuant to House Resolution 760, I call up the bill (H.R. 324) to establish the Santa Cruz Valley National Heritage Area, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. CUELLAR). Pursuant to House Resolution 760, the amendment printed in House Report 111-263 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 324

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Santa Cruz Valley National Heritage Area Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Purposes.

Sec. 3. Definitions.

Sec. 4. Designation of Santa Cruz Valley National Heritage Area.

Sec. 5. Management plan.

Sec. 6. Evaluation; report.

Sec. 7. Local coordinating entity.

Sec. 8. Relationship to other Federal agencies.

Sec. 9. Private property and regulatory protections.

Sec. 10. Authorization of appropriations.

Sec. 11. Use of Federal funds from other sources.

Sec. 12. Sunset for grants and other assistance.

SEC. 2. PURPOSES.

The purposes of this Act include—

(1) to establish the Santa Cruz Valley National Heritage Area in the State of Arizona;

(2) to implement the recommendations of the “Alternative Concepts for Commemorating Spanish Colonization” study completed by the National Park Service in 1991, and the “Feasibility Study for the Santa Cruz Valley National Heritage Area” prepared by the Center for Desert Archaeology in July 2005;

(3) to provide a management framework to foster a close working relationship with all levels of government, the private sector, and the local communities in the region and to conserve the region’s heritage while continuing to pursue compatible economic opportunities;

(4) to assist communities, organizations, and citizens in the State of Arizona in identifying, preserving, interpreting, and developing the historical, cultural, scenic, and natural resources of the region for the educational and inspirational benefit of current and future generations; and

(5) to provide appropriate linkages between units of the National Park System and communities, governments, and organizations within the National Heritage Area.

SEC. 3. DEFINITIONS.

In this Act:

(1) NATIONAL HERITAGE AREA.—The term “National Heritage Area” means the Santa Cruz Valley National Heritage Area established in this Act.

(2) LOCAL COORDINATING ENTITY.—The term “local coordinating entity” means the Santa Cruz Valley Heritage Alliance, Inc., which is hereby designated by Congress—

(A) to develop, in partnership with others, the management plan for the National Heritage Area; and

(B) to act as a catalyst for the implementation of projects and programs among diverse partners in the National Heritage Area.

(3) MANAGEMENT PLAN.—The term “management plan” means the plan prepared by the local coordinating entity for the National Heritage Area that specifies actions, policies, strategies, performance goals, and recommendations to meet the goals of the National Heritage Area, in accordance with this Act.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 4. DESIGNATION OF SANTA CRUZ VALLEY NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is hereby established the Santa Cruz Valley National Heritage Area.

(b) BOUNDARIES.—

(1) IN GENERAL.—The National Heritage Area shall consist of portions of the counties of Santa Cruz and Pima.

(2) MAP.—The boundaries of the National Heritage Area shall be as generally depicted on the map titled “Santa Cruz Valley National Heritage Area”, and numbered T09/80,000, and dated November 13, 2007. The map shall be on file and available to the public in the appropriate offices of the National Park Service and the local coordinating entity.

SEC. 5. MANAGEMENT PLAN.

(a) REQUIREMENTS.—The management plan for the National Heritage Area shall—

(1) describe comprehensive policies, goals, strategies, and recommendations for telling the story of the heritage of the area covered

by the National Heritage Area and encouraging long-term resource protection, enhancement, interpretation, funding, management, and development of the National Heritage Area;

(2) include a description of actions and commitments that Federal, State, Tribal, and local governments, private organizations, and citizens will take to protect, enhance, interpret, fund, manage, and develop the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Area;

(3) specify existing and potential sources of funding or economic development strategies to protect, enhance, interpret, fund, manage, and develop the National Heritage Area;

(4) include an inventory of the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Area related to the national importance and themes of the National Heritage Area that should be protected, enhanced, interpreted, managed, funded, and developed;

(5) recommend policies and strategies for resource management, including the development of intergovernmental and inter-agency agreements to protect, enhance, interpret, fund, manage, and develop the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Area;

(6) describe a program for implementation for the management plan, including—

(A) performance goals;

(B) plans for resource protection, enhancement, interpretation, funding, management, and development; and

(C) specific commitments for implementation that have been made by the local coordinating entity or any Federal, State, Tribal, or local government agency, organization, business, or individual;

(7) include an analysis of, and recommendations for, means by which Federal, State, Tribal, and local programs may best be coordinated (including the role of the National Park Service and other Federal agencies associated with the National Heritage Area) to further the purposes of this Act; and

(8) include a business plan that—

(A) describes the role, operation, financing, and functions of the local coordinating entity and of each of the major activities contained in the management plan; and

(B) provides adequate assurances that the local coordinating entity has the partnerships and financial and other resources necessary to implement the management plan for the National Heritage Area.

(b) DEADLINE.—

(1) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to develop the management plan after designation as a National Heritage Area, the local coordinating entity shall submit the management plan to the Secretary for approval.

(2) TERMINATION OF FUNDING.—If the management plan is not submitted to the Secretary in accordance with paragraph (1), the local coordinating entity shall not qualify for any additional financial assistance under this Act until such time as the management plan is submitted to and approved by the Secretary.

(c) APPROVAL OF MANAGEMENT PLAN.—

(1) REVIEW.—Not later than 180 days after receiving the plan, the Secretary shall review and approve or disapprove the management plan for a National Heritage Area on the basis of the criteria established under paragraph (3).

(2) CONSULTATION.—The Secretary shall consult with the Governor of each State in which the National Heritage Area is located before approving a management plan for the National Heritage Area.

(3) CRITERIA FOR APPROVAL.—In determining whether to approve a management plan for a National Heritage Area, the Secretary shall consider whether—

(A) the local coordinating entity represents the diverse interests of the National Heritage Area, including Federal, State, Tribal, and local governments, natural and historic resource protection organizations, educational institutions, businesses, recreational organizations, community residents, and private property owners;

(B) the local coordinating entity—

(i) has afforded adequate opportunity for public and Federal, State, Tribal, and local governmental involvement (including through workshops and hearings) in the preparation of the management plan; and

(ii) provides for at least semiannual public meetings to ensure adequate implementation of the management plan;

(C) the resource protection, enhancement, interpretation, funding, management, and development strategies described in the management plan, if implemented, would adequately protect, enhance, interpret, fund, manage, and develop the natural, historic, cultural, educational, scenic, and recreational resources of the National Heritage Area;

(D) the management plan would not adversely affect any activities authorized on Federal land under public land laws or land use plans;

(E) the local coordinating entity has demonstrated the financial capability, in partnership with others, to carry out the plan;

(F) the Secretary has received adequate assurances from the appropriate State, Tribal, and local officials whose support is needed to ensure the effective implementation of the State, Tribal, and local elements of the management plan; and

(G) the management plan demonstrates partnerships among the local coordinating entity, Federal, State, Tribal, and local governments, regional planning organizations, nonprofit organizations, or private sector parties for implementation of the management plan.

(4) DISAPPROVAL.—

(A) IN GENERAL.—If the Secretary disapproves the management plan, the Secretary—

(i) shall advise the local coordinating entity in writing of the reasons for the disapproval; and

(ii) may make recommendations to the local coordinating entity for revisions to the management plan.

(B) DEADLINE.—Not later than 180 days after receiving a revised management plan, the Secretary shall approve or disapprove the revised management plan.

(5) AMENDMENTS.—

(A) IN GENERAL.—An amendment to the management plan that substantially alters the purposes of the National Heritage Area shall be reviewed by the Secretary and approved or disapproved in the same manner as the original management plan.

(B) IMPLEMENTATION.—The local coordinating entity shall not use Federal funds authorized by this Act to implement an amendment to the management plan until the Secretary approves the amendment.

(6) AUTHORITIES.—The Secretary may—

(A) provide technical assistance under the authority of this Act for the development and implementation of the management plan; and

(B) enter into cooperative agreements with interested parties to carry out this Act.

SEC. 6. EVALUATION; REPORT.

(a) IN GENERAL.—Not later than 3 years before the date on which authority for Federal funding terminates for the National Heritage Area under this Act, the Secretary shall—

(1) conduct an evaluation of the accomplishments of the National Heritage Area; and

(2) prepare a report in accordance with subsection (c).

(b) EVALUATION.—An evaluation conducted under subsection (a)(1) shall—

(1) assess the progress of the local coordinating entity with respect to—

(A) accomplishing the purposes of the authorizing legislation for the National Heritage Area; and

(B) achieving the goals and objectives of the approved management plan for the National Heritage Area;

(2) analyze the Federal, State, Tribal, and local, and private investments in the National Heritage Area to determine the impact of the investments; and

(3) review the management structure, partnership relationships, and funding of the National Heritage Area for purposes of identifying the critical components for sustainability of the National Heritage Area.

(c) REPORT.—Based on the evaluation conducted under subsection (a)(1), the Secretary shall submit a report to the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. The report shall include recommendations for the future role of the National Park Service, if any, with respect to the National Heritage Area.

SEC. 7. LOCAL COORDINATING ENTITY.

(a) DUTIES.—To further the purposes of the National Heritage Area, the Santa Cruz Valley Heritage Alliance, Inc., as the local coordinating entity, shall—

(1) prepare a management plan for the National Heritage Area, and submit the management plan to the Secretary, in accordance with this Act;

(2) submit an annual report to the Secretary for each fiscal year for which the local coordinating entity receives Federal funds under this Act, specifying—

(A) the specific performance goals and accomplishments of the local coordinating entity;

(B) the expenses and income of the local coordinating entity;

(C) the amounts and sources of matching funds;

(D) the amounts leveraged with Federal funds and sources of the leveraging; and

(E) grants made to any other entities during the fiscal year;

(3) make available for audit for each fiscal year for which the local coordinating entity receives Federal funds under this Act, all information pertaining to the expenditure of the funds and any matching funds; and

(4) encourage economic viability and sustainability that is consistent with the purposes of the National Heritage Area.

(b) AUTHORITIES.—For the purposes of preparing and implementing the approved management plan for the National Heritage Area, the local coordinating entity may use Federal funds made available under this Act to—

(1) make grants to political jurisdictions, nonprofit organizations, and other parties within the National Heritage Area;

(2) enter into cooperative agreements with or provide technical assistance to political jurisdictions, nonprofit organizations, Federal agencies, and other interested parties;

(3) hire and compensate staff, including individuals with expertise in—

(A) natural, historical, cultural, educational, scenic, and recreational resource conservation;

(B) economic and community development; and

(C) heritage planning;

(4) obtain funds or services from any source, including other Federal programs;

(5) contract for goods or services; and

(6) support activities of partners and any other activities that further the purposes of the National Heritage Area and are consistent with the approved management plan.

(c) **PROHIBITION ON ACQUISITION OF REAL PROPERTY.**—The local coordinating entity may not use Federal funds authorized under this Act to acquire any interest in real property.

SEC. 8. RELATIONSHIP TO OTHER FEDERAL AGENCIES.

(a) **IN GENERAL.**—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(b) **CONSULTATION AND COORDINATION.**—The head of any Federal agency planning to conduct activities that may have an impact on a National Heritage Area is encouraged to consult and coordinate the activities with the Secretary and the local coordinating entity to the maximum extent practicable.

(c) **OTHER FEDERAL AGENCIES.**—Nothing in this Act—

(1) modifies, alters, or amends any law or regulation authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;

(2) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of a National Heritage Area;

(3) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency; or

(4) modifies, alters, or amends any border enforcement authority.

SEC. 9. PRIVATE PROPERTY AND REGULATORY PROTECTIONS.

Nothing in this Act—

(1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the National Heritage Area;

(2) requires any property owner to permit public access (including access by Federal, State, Tribal, or local agencies) to the property of the property owner, or to modify public access or use of property of the property owner under any other Federal, State, Tribal, or local law;

(3) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, Tribal, or local agency, or conveys any land use or other regulatory authority to any local coordinating entity, including but not necessarily limited to development and management of energy, water, or water-related infrastructure;

(4) authorizes or implies the reservation or appropriation of water or water rights;

(5) diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the National Heritage Area; or

(6) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Subject to subsection (b), there are authorized to be appropriated to carry out this Act not more than \$1,000,000 for any fiscal year. Funds so appropriated shall remain available until expended.

(b) **LIMITATION ON TOTAL AMOUNTS APPROPRIATED.**—Not more than \$15,000,000 may be appropriated to carry out this Act.

(c) **COST-SHARING REQUIREMENT.**—The Federal share of the total cost of any activity under this Act shall be not more than 50 per-

cent; the non-Federal contribution may be in the form of in-kind contributions of goods or services fairly valued.

SEC. 11. USE OF FEDERAL FUNDS FROM OTHER SOURCES.

Nothing in this Act shall preclude the local coordinating entity from using Federal funds available under other laws for the purposes for which those funds were authorized.

SEC. 12. SUNSET FOR GRANTS AND OTHER ASSISTANCE.

The authority of the Secretary to provide financial assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

The SPEAKER pro tempore. The gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Washington (Mr. HASTINGS) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 324.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of H.R. 324, legislation I was proud to introduce earlier this year along with my friend and colleague Representative GIFFORDS.

My own history began in the Santa Cruz Valley at the Canoa Ranch where my father worked. My earliest memories are of life in an extraordinary, scenic valley; and they comprise a very important part of who I am today.

H.R. 324 designates the Santa Cruz Valley region of Arizona as a national heritage area. This would allow the National Park Service to support existing and future State and local conservation efforts through Federal recognition, seed money, and technical assistance.

The Santa Cruz Valley is one of America's longest inhabited regions, with traces of human occupation extending back 12,000 years. The region was not only the center of centuries of Native American culture and history but also served as a corridor of Spanish exploration, colonization, and missionary activity; and a frontier of Mexican and early American mining, ranching, and agriculture. Today the valley is a leading center of desert ecology, climate research, astronomy, optics, and archeology.

The historic Spanish missions, presidio fortresses, and ranches are found throughout the valley. Streets lined with Sonoran-style adobe houses recall the period when the region was part of Mexico. Ghost towns, old mines, territorial-style ranch houses, remnants of the mining and cattle industries date to the 1850s when this area became part of the United States.

The valley sweeps across the Santa Cruz and eastern Pima County, encom-

passing cactus-covered slopes, open grasslands, rugged canyons, forested mountain ranges rising to more than 9,000 feet, and lush oases created by rare desert streams. That varied landscape provides many different habitats that are home to a diversity of plant and animal life, including tropical species, unique desert species, and mountaintop survivors from the Ice Age.

The heritage area designated by H.R. 324 includes two national parks, four State parks, six large county parks, four major lakes, two designated scenic highways, and several hundred miles of backcountry trails and urban bikeways.

The Juan Bautista de Anza National Historic Trail, designated by Congress in 1990, runs along the Santa Cruz River for the length of the heritage area. The Butterfield Overland Dispatch Trail also crosses the valley. Also included are 32 museums, as well as 28 districts and 102 individual buildings listed on the National Register of Historic Places, and dozens of prehistoric and historic archeological sites.

A July 2005 study by the Center for Desert Archaeology, on which the bill is based, examined the many resources of the region and found that the area meets the 10 criteria set forth by the National Park Service for proposed heritage areas.

H.R. 324 designates the area; sets out the duties of the management organization and the requirements for a management plan; requires the Secretary of the Interior to approve or disapprove of the plan within 180 days; provides criteria for judging that plan; allows the Secretary to provide technical assistance and grants; and authorizes \$15 million over 15 years, with no more than \$1 million to be appropriated in any fiscal year. All Federal funds must be matched by contributions from non-Federal sources. The bill includes extensive protections for private property owners and prohibits the use of Federal lands received under the act for land acquisition.

H.R. 324 is strongly supported throughout the Santa Cruz Valley. All incorporated local governments have supported it and have given this proposal their formal support. Other supporters include two Native American tribes, chambers of commerce and other civic organizations, the Arizona Office of Tourism and other tourism councils, the Southern Arizona Home Builders Association, conservation groups and developers, and many other businesses and individuals.

Mr. Speaker, at this point I would like to say a few words about the heritage areas in general. This is a well-established, well-tested program that has been operating for 25 years. There are 49 heritage areas running in 29 States. Well over 50 million people live, work, and recreate inside the national heritage area.

Mr. Speaker, the National Park Service and the Alliance of National Heritage Areas commissioned Michigan

State University to study the economic impacts of the national heritage area. The study found that just one national heritage area resulted in \$780,000 in wages and salaries; \$1.2 million in value added, mostly from dining and lodging; and created 51 jobs. If you extend this to all the heritage areas, we are talking about hundreds of millions of dollars in economic benefit to local communities and roughly 2,500 jobs.

In closing, Mr. Speaker, let me once again urge my colleagues to support H.R. 324, my bill to help preserve a fascinating area full of history and culture and the wonders of nature.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, this legislation raises serious concerns about border security and the private property rights of private landowners by establishing an over 3,300-square-mile—let me repeat that, Mr. Speaker—3,300-square-mile national heritage area that includes land along the Arizona and Mexico border.

Mr. Speaker, House Republicans support the wise and responsible stewardship of Federal lands. We also strongly believe the protection and conservation of natural areas is important. Yet it need not be done at the expense of our homeland security or the private property rights of U.S. citizens.

On the issue of homeland security, some of the most heavily trafficked drug smuggling and human trafficking routes in the United States would be designated as a national heritage area under this bill. To make matters worse, the bill lacks sufficient protections to ensure that border security enforcement, drug interdiction and illegal immigration control is not restricted, is not hindered, and is not impeded by this legislation.

At a time when our borderlands are far from secure, now is simply not the time to place yet another layer of Federal interference in these areas. It is critical that policies meant to conserve natural areas or to preserve or promote unique areas in our Nation do not become corridors for illegal activities that threaten the safety and security of United States citizens.

This Congress must ensure that the responsibilities of the Border Patrol and the Department of Homeland Security are not undercut by the actions of another agency or Department. This is especially true with the Department of the Interior, which, Mr. Speaker, controls 40 percent of the lands along the southern border.

In response to concerns raised about the lack of border security protections in this bill, the Democrat majority has used their power on the Rules Committee to automatically add meager text to this bill that falls far short of

meaningful protection of our border security. This meager text simply states that no border enforcement authority is being modified, altered, or amended.

Well, Mr. Speaker, this leaves the barn door open to the reality that this heritage area designation could restrict, could hinder or impede border enforcement or security authority, including drug interdiction and illegal immigration control.

It also completely fails to address the effects that other existing laws are having over the ability of the Border Patrol and the Department of Homeland Security to achieve operational control of the border.

Instead of addressing the hurdles to border security that exist on public land, this bill, frankly, Mr. Speaker, exacerbates them.

On the issue of property rights, this legislation does include language that expresses support for property protection. I will acknowledge that. However, the bill omits stronger protections that have been included in many of the other recently established heritage areas.

What should be included in this bill is an assurance that the written consent of property owners be acquired before their property is included into the planning activities of the heritage area's management entities. Property owners should also be permitted the choice to opt out of the heritage area's boundaries if they choose.

Now, as I noted, the bill does include language related to private property, and it does say that property owners are allowed to "refrain from participation." Yet, Mr. Speaker, nothing changes the fact that this bill places property owners within a new Federal designation.

□ 1430

It would allow a basis for ambitious Federal land managers to claim that now they have a mandate and millions of Federal dollars to interfere with local decisions affecting the private property of others.

The reality is that there are likely a great number of property owners who have no idea that they are being included in this heritage area designation. After all, Mr. Speaker, we are talking about over 3,300 square miles. This House should insist that the weak and ineffectual provisions of the bill are strengthened with real and meaningful protections that protect all landowners with the choice to opt out of this designation.

With deep concern, Mr. Speaker, across the country over the growing intrusion of the Federal Government into our daily lives, as evidenced by the debate on health care in this country and private choices of American citizens, great caution and care should be taken to protect the property rights of the thousands and thousands of property owners located within the over 3,300 square-mile heritage area that is being proposed by this legislation.

So, Mr. Speaker, without sufficient protections for private property rights and the security of our southern border from drug smuggling and illegal immigration, I must oppose this legislation. I reserve the balance of my time.

Mr. GRIJALVA. I yield such time as she may consume to the gentlewoman from Arizona (Ms. GIFFORDS).

Ms. GIFFORDS. Mr. Speaker, I would like to thank my colleague, Chairman GRIJALVA, for bringing this bill forward.

I rise today in support of H.R. 324, the Santa Cruz Valley National Heritage Act. This bill would designate the area around the Santa Cruz River in southern Arizona as a national heritage area, from Marana in the north down to Patagonia in the south.

By designating this area a national heritage area, the beautiful Santa Cruz Valley region will receive modest Federal support for promoting the area's history, cultural resources, and the indigenous wildlife habitat. This designation will be a valuable tool to promote economic development and tourism in a rural area, in an area that has been hard hit by the downturn in the economy.

Just as important, we will be ensuring that visitors to the Santa Cruz Valley area can learn about this unique watershed that exists there and the diverse societies it has supported throughout hundreds of thousands of years. Native American tribes, descendants of Spanish ancestors, American pioneers, and now, members of a very diverse southern Arizona community.

Unfortunately, this bill has been the subject of much misinformation. Contrary to what some have said, the Santa Cruz Valley does not jeopardize private property rights. In fact, the bill language explicitly protects property rights. The bill also protects public use of federally managed lands. Having participated in and led dozens of meetings in that area, hearing from constituencies from the business community to the environmental community, folks across a broad spectrum, there is very strong support for this legislation. This is why the bill will move forward in a way that is very positive for the people of southern Arizona. I urge a "yes" vote on H.R. 324 to support preserving Arizona's natural heritage.

Again, I commend the chairman for bringing the bill forward.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the ranking Republican on the House Judiciary Committee, the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Speaker, I thank the gentleman from Washington State and the ranking member of the Natural Resources Committee for yielding.

Mr. Speaker, I oppose this legislation, H.R. 324, because it weakens our border security and, therefore, endangers American lives.

Arizona's border with Mexico has become the focal point of much of the illegal immigration, drug smuggling,

and related violence in America. This legislation will adversely impact the ability of DHS to secure part of the border. Designation as a national heritage area can prevent the Border Patrol's access to the land. It could prevent agents from using motorized vehicles or flying helicopters at low altitudes.

Such policies encourage illegal immigration and drug smuggling. The smugglers and illegal immigrants know they have a better chance of eluding capture in these areas than in better enforced border areas.

In addition, the bill will have the exact opposite effect of its stated purpose "to conserve the region's heritage" since smugglers and illegal immigrants often cause environmental damage. They abandon huge volumes of trash and debris. Preventing Border Patrol agents from accessing these areas will only allow this environmental destruction to continue.

I understand that language has been added in an effort to address the concerns that have been raised, but the language is ambiguous and will invite lawsuits. It does not ensure that law enforcement officials will have access to the land and be able to secure the border.

Mr. Speaker, for that reason, we should oppose this legislation.

Mr. GRIJALVA. Mr. Speaker, I yield such time as he may consume to the chairman of the full Resources Committee, the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Speaker, I rise in strong support of the measure that is sponsored by our good friend from Arizona, the chairman of the National Parks, Forest and Public Lands Subcommittee, Representative GRIJALVA. I also rise, as I have said, and as I have done time and time and time again, to point out that the claim that national heritage areas harm the rights of private property owners is utterly false. F-A-L-S-E. Utterly false.

As Chairman GRIJALVA has already pointed out, H.R. 324 contains the extensive property rights protections included in every heritage area which has passed the House in recent years under both Democratic and Republican majorities, and signed into law by both Republican and Democratic Presidents.

So I would urge my colleagues to simply read the bill. On page 16, starting on line 4, it states, and I quote, "Nothing," N-O-T-H-I-N-G, "in this Act (1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the National Heritage Area."

Furthermore, the bill makes clear that private property owners may not be forced to provide access to the public or any government agency, and the bill does not alter or expand any existing land use or other regulatory authority. These provisions cover every possible contingency however far-

fetched that the minority may dream up.

Let's look at the facts one more time. National heritage areas have been around for 25 years. Ronald Reagan signed the first one into law. Today we have 49 heritage areas in 29 States. Well over 50 million people live, work and recreate in a heritage area, 50 million people, and not one of them has been adversely affected. That's because heritage areas have no regulatory powers, no zoning authority, no power of eminent domain. Forty-nine heritage areas; 50 million people. That's almost my entire congressional district in a national heritage area.

As a matter of fact, the entire State of Tennessee is a national heritage area. It is the Tennessee Civil War National Heritage Area. That is the entire State of Tennessee. Think about it.

Last I heard, Dollywood was still booming. The Grand Ole Opry was still swinging. People were still engaging in commerce, holding homes, and contributing to the economy in Tennessee. I believe it is still on the map. And not one of them has had their private property rights diminished. And in all of these areas over all of these years, there has never been a single instance where an individual's right to private property was abridged.

The Government Accountability Office interviewed property rights advocacy groups, and even they were unable to provide a single example. Not a single one. So this is the biggest red herring that I have ever come across.

Nevertheless, we have included these property rights protections in H.R. 324 to make clear once again that national heritage areas do not threaten private property. At some point in order to retain even a shred of credibility, those who make these claims will either have to produce some evidence or admit their mistake.

Seriously, folks, these allegations are beginning to wear thin. You have no evidence whatsoever.

As to the pending measure, the Santa Cruz Valley is a treasure trove of natural and cultural resources and it would be shameful, simply shameful indeed, if we lost the opportunity to protect and preserve these resources based on irresponsible accusations that were proven false long, long, long ago. So I urge support for H.R. 324.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to another member of the Judiciary Committee, the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Washington for yielding.

I rise in opposition to H.R. 324, the Santa Cruz Valley National Heritage Area.

This 3,300 miles shares already overlapping jurisdictions between the Bureau of Land Management, U.S. Forest Service, National Park Service, the Department of Defense, and then there are some residents of the tribes, the Pascua and the Tohono people, as well.

This area is a very high traffic volume for contraband, that being illegal drugs and illegal people, coming up through this corridor. I have traveled that corridor and visited as recently as last July, a little over a month and a half ago. We know that in some cases there have been national park lands marked off limits to the people of the United States because the illegal drug traffic and the litter has gotten so bad. It is too dangerous. They wouldn't take me there.

We need to enforce the laws on our border and not complicate the overlapping jurisdictions that are there. We know that the Border Patrol has enough trouble trying to get to an operational control of the border without having to deal with an additional area that would be a national heritage area added on top of it.

I am not sure about the State of Tennessee, but I would wonder if the TVA didn't come in there about the time Tennessee was declared a national heritage area, and it seems to me that the private sector was nudged out with that move, if my recollection of history is accurate.

But the bill still lacks sufficient protections that would allow the free flow of our U.S. border security personnel for drug interdiction and illegal immigration enforcement.

I would add also on the Coronado National Forest, that is in the center of this location and that is a direct conduit of illegal traffic coming through. So we need the jurisdiction to be such that it is free-flowing, and we need to enforce our immigration laws. We need to provide operational control of the border.

I would also point out that some of the difficulties we have in enforcing our immigration laws are also rooted in our inability to enforce even under current circumstances. And in this designation, I will be able to roll out my map and point to you, Mr. Speaker, the spot or locations, mountaintop after mountaintop, that are surveillance locations for the U.S. law enforcement that is trying to enforce illegal immigration and illegal drugs and the interdiction of same coming up through this corridor.

This serves no real purpose to accomplish anything other than to draw down Federal moneys. And as I look through this bill, and I didn't get them all marked, but I see the word "fund" or "funds" or "resources" being used over and over again.

The attention I would draw to page 5 of the bill, line 12, specify existing and potential sources of funding or economic development strategies to interpret, fund, manage.

And the same page of the bill, line 25, recommend fund, manage. And it goes on and on. As I go through the bill, it looks to me like it is a method to figure out how to drawn down Federal funds.

Page 9 of the bill, line 5, enhance, interpret, fund, manage.

Federal funds implementation, on page 10.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional minute.

Mr. KING of Iowa. I thank the gentleman from Washington.

Mr. Speaker, I would continue. On page 10, it references implementation. The local coordinating entity. It references use of Federal funds.

□ 1445

On page 13, the amounts leveraged with Federal funds is referenced again.

On page 14, lines 19, 20 and 21, "heritage planning; obtain funds from any source, including Federal programs," Mr. Speaker.

Page 15, line 4, "The local coordinating entity may not use Federal funds authorized under this act." So there is a prohibition there in reference to funds.

Then with regard to the property rights component of this, we have seen this language before. "Nothing abridges the rights of any property owner." That is kind of like the bill that came to the floor that said there are no earmarks in this bill, but there were thousands of them. To define it away doesn't mean it goes away.

I rise in opposition to this, and I would urge a "no" vote on H.R. 324.

Mr. GRIJALVA. Mr. Speaker, I would just extend congratulations to my colleague that just finished speaking. He caught us. This is a grant-funded program. Heritage areas have been grant-funded programs for 25 years, and I am glad that he was able to find that and point that out.

Those of us that represent the border understand how painful, how divisive, and in some areas how devastating what is going on on the border is. Not only with unauthorized entries, but with the drug cartels coming one way, the gun runners going the other way sending guns to Mexico, we understand it is very painful, and the inactivity of this Congress to deal with that immigration issue has made that pain even more severe. But I think it is wrong to try to deal with an immigration issue that people are either afraid to deal with or exploit for political purposes and try to layer that on to a heritage area in the Santa Cruz Valley.

I say that for far too long when we talk about the border region, it is always in a negative context. Always. And for too long, the people that live there, the people that raise their families there, the people that work there, the culture, the natural heritage that that area has is ignored, underfunded, and never really dealt with.

This is an opportunity to do something along a border region that is not going to promote illegal crossings, that is not going to impede any law enforcement, including Border Patrol, from carrying out their duty and the application of the law; to do something for

an area, a part of the United States of America, to do something for that area and say this is special, this is unique, we want to work with this area and show that uniqueness to the rest of the country.

I think it is an opportunity to do more than just scapegoat and fear monger about border issues and do something positive, something necessary, and something that will tell the people that live there, like many of us do, you are worthy, you are in this country, you are United States citizens, and we acknowledge that because of the special unique heritage that you bring to this country.

I think this is part of this discussion today, and we shouldn't let fear-mongering and we shouldn't let scapegoating dominate the decision that needs to be made on this legislation, which is to approve it.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the distinguished chairman of the committee, Mr. RAHALL, spoke at length about private property rights, and, as is not unusual, there are differing opinions of that.

I have before me, Mr. Speaker, an article from the North Dakota Farm Bureau written by an individual, Mr. Harold Maxwell, who belongs to the Arizona Farm Bureau. He lives in Yuma. He was involved in a heritage designation in that area and he worked very hard to get private property rights protection included in that area of Arizona. But he has an article that I think spells out a lot of what we were talking about on our side of the need to further protect private property rights.

GET INVOLVED TO PROTECT PROPERTY RIGHTS
(By Harold Maxwell)

ARIZONA, February 27, 2008—Recently, there has been extensive discussion in Arizona about the proposed Little Colorado River Valley National Heritage Area. As one of the individuals that worked to resolve some of the issues that arose from the Yuma Crossing National Heritage Area, I have a unique view on the potential pitfalls and benefits of having a National Heritage Area (NHA).

First, let me state that the Yuma Crossing National Heritage Area in its final form has been a benefit to our community. That being said, two main issues exist that must be addressed to ensure that a National Heritage Area truly is a benefit to the local community, rather than a threat.

First let's tackle the issue of individual property rights. Proponents of another proposed NHA, the Little Colorado River Valley National Heritage Area (LCRVNHA), cite two main reasons why the local populous should not be concerned about their property rights. The authors of the proposed Heritage Area bill like to point to specific language in the bill that they included in an attempt to afford property owners some protection.

They also like to cite a 2004 study by the GAO that found no issues affecting property values or use. Let me address both of those issues.

Most legislation that designates a NHA and its subsequent management plan includes language that prohibits the National Park Service and/or the Heritage Board from

using eminent domain to acquire property. These management plans also prohibit the use of the Federal funds obtained under the bill from being used to acquire land. Unfortunately, these "protections" are limited.

The proposed LCRVNHA bill does not prohibit local governments from changing zoning ordinances to conform to the land use plans suggested by the Heritage Area Board. Local governments find themselves in a difficult situation: either adopt the new land use plans and put local property owners at risk, or reject the land use plans and put their federal funding at risk.

This is not just idle conjecture. The Wheeling National Heritage Area, Blackstone River Valley National Heritage Corridor, Essex National Heritage Area, Erie Canalway National Heritage Corridor, and the Journey Through Hallowed Ground NHAs are just a few examples of where local zoning was changed to accommodate the management plan and those changes did negatively impact local land owners' property rights.

The other statement, that no federal funds obtained under the bill can be used to acquire land, is also misleading. This statement only applies to funds authorized by Congress for a Heritage Area. Any matching funds that are raised are free to be spent however the Heritage Area Board sees fit.

This is not an insignificant problem. Heritage Areas on average receive \$8 in matching funds for every \$1 that is provided under the Heritage Area Act. Far and away the majority of the funds generated by a Heritage Area are eligible to purchase private property, or issue conservation or historical easements. This is of particular significance in Arizona, as only 13% of our land is privately owned. Any acquisition that removes land from the tax rolls has the potential for a huge negative impact on the amount of property tax collected for our local communities.

Even a more serious issue is the potential of a Heritage Area to acquire land and then donate the land to the National Park Service (NPS). This is what happened with the Shenandoah Valley Battlefield Foundation. The Cedar Creek and Belle Grove National Historical Park as it is now known was created in 2003 by using a combination of donated lands and conservation easements. Though National Heritage Areas do not impose direct restrictions on property this is not the case for the NPS. Federal law grants the National Parks the right to impose specific land use restrictions on properties adjacent to their boundaries.

A March 2004 Governmental Accounting Office (GAO) study on heritage areas is the Holy Grail for the National Heritage Areas' claim that Heritage Areas do not impact property rights. The GAO study claims to have found no issues affecting property values or use. This has always been perplexing to me as I know of three separate incidences involving property rights and the Yuma Crossing National Heritage Area.

Having read the GAO report, I now believe that I can shed some light on the subject. In regard to the Yuma events, the GAO report was published in March 2004. The meeting held in Yuma concerning property rights, with an attendance of more than 600 Yuma County residents, was held the end of February 2004. One of the reasons that the GAO did not find any incidents in Yuma was that the publication had gone to press by the time of the Yuma meeting.

It was also noted in the GAO's report that the survey was limited to "national groups" and apparently did not include a survey of individual property owners in the more than three-dozen NHAs already in existence. It is also evident that the GAO was only concerned about the immediate impact of the bill and not the consequences from the land

use planning that was encouraged by the National Heritage Areas. When one reviews the literature looking for cases where NHAs have influenced local zoning ordinances, it becomes apparent even to the casual observer that NHAs can and do have the ability to affect property rights.

LOCAL CONTROL

The second major concern involving National Heritage Areas is local control. No clearer example of the benefit of local control can be found than the Yuma experience. After the Yuma Crossing Heritage Area Bill passed Congress designating 22-square miles of Yuma as a National Heritage Area, the local agencies responsible for zoning started to interpret what it meant to own property in and around the boundaries of the new Heritage Area. It was these decisions made by bureaucrats that caused the local population to become concerned about their property rights. Local pressure was brought to bear on the County Board of Supervisors and the City of Yuma to pass resolutions instructing staff not to use the boundaries of the New Heritage Area in determining zoning issues. This solved the immediate issue, but the community realized that the Yuma Crossing Heritage Act was a federal law that would become more difficult to change as federal monies were invested.

We also understood that the local resolutions could be lifted at some time in the future after the Heritage area was well established. The local community decided, for their own protection, to reduce the scope of the project back to what was originally proposed: 4 square miles or 2,560 acres of downtown Yuma and the Colorado River inside the levee system. Even with strong local support it took Yuma over 3 years to change the original legislation. The Yuma community now believes that this new boundary is focused enough that even if the local ordinances are changed the community will be protected from their impact. One of the benefits of such a focused area is that we have enough money to effect change. If one assumes that their Heritage Area will get all of the potential \$10 million from the federal government, and no project has, then the Yuma Crossing National Heritage Area has the potential of receiving a little more than \$3,900 per acre for our project, as compared to the \$710 per acre it could have received under the original scope.

The proposed Little Colorado River Valley National Heritage Area is too large. At over 23,000 square miles or 14,720,000 acres, it falls into the trap that some of the other Heritage Areas have fallen into: On a per acre basis the Little Colorado River Valley National Heritage Area will at a maximum receive only 68 cents per acre under the bill. When a Heritage area is too large the funds are insufficient to get the project up and running on a self-sustaining basis. One of the goals for all Heritage areas is to be self-sustaining at the sunset of their authorization bill in 15 years.

Yuma learned that local control is critical. When issues arose it was relatively easy to convince our County Board of Supervisors and the Yuma City Council to pass resolutions protecting our citizens. The proposed Little Colorado River Valley National Heritage Area covers parts of four states, seven Native American Nations, and 27 counties. How do you have local control in such a large entity? The only effective control is on a county, sovereign nation, or city basis. When a project covers so many different governing agencies the only way for the project to work is for the local governments to cede local control to the Heritage Area. After having looked at some of the major pitfalls with the Little Colorado River Valley Herit-

age Area, these are the changes I would recommend in the plan if your community chooses to go forward.

First, maintain local control. One 23,000 square mile heritage area managed out of Tucson with some local people appointed to the board is not local control. The Little Colorado River Valley National Heritage Area includes parts of 4 states, 7 Native American nations, and 27 counties. At the very least there should be 34 separate Heritage Areas divided along county and Native American nation lines. This would give control down to the county or nation level. A side benefit would be that each heritage area would be eligible for \$10 million in government funds on their own. That is a potential of \$340 million dollars in federal funds vs. the current proposal of \$10 million. Learn from the Yuma experience. If Yuma reduced the size of its Heritage Area from 22 square miles to 4 square miles due to concerns over property rights, one can only imagine the potential issues with the 23,000 square mile Heritage Area that is being proposed.

Secondly, be very focused. One of the ways that you can protect yourselves against property rights abuse is to make certain that the areas that are included are well defined and include cultural, historical and environmental areas that can be developed into self sustaining economic zones. Vast expanses of the current proposal would not fit these criteria. Heritage Areas are intended to be self-sustaining after the first 15 years of existence.

Finally, the legislation authorizing the Heritage Area should prohibit the Heritage Area from using any of the funds raised to buy private property or to purchase any form of easement (conservation, historical etc.). This would ensure that private property stays on the tax rolls and is not retired. It also would ensure that land is not "donated" by the Heritage Area to create a new or expanded National Park.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I continue to reserve my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the gentleman from Utah (Mr. BISHOP), the distinguished ranking member on the Natural Resources Subcommittee on National Parks, Forests and Public Lands, and I ask unanimous consent that he control the time after he uses his time for his debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I thank the gentleman for yielding.

I think a couple of the speakers have given what is one of the crux problems, not of this, the Santa Cruz Heritage Area, but of the overall issue itself. The gentleman from Arizona, who does a good job in representing his constituents, did say there are 49 heritage areas that have been heritage areas for the last 25 years, and therein is the problem.

When Mo Udall was chairman of that committee and Bruce Vento was the subcommittee chairman, that is the first time this concept of a heritage area was introduced. The concept was going to be that this was start-up money, and then the heritage areas would be on their own. Bruce Vento did say, 10 years and we are out of there.

This was never supposed to be a 25-year program for any of these areas.

The problem is that when the 10 years are up, we keep extending the time limit on these areas and we keep extending the life and giving more and more money to these areas. In fact, it has become such a part that there is a cottage industry that has developed going out to areas to train them on how they can become and stay a heritage area to get more and more funding. It violates the very concept of why heritage areas were there in the first place.

This year alone we have added nine new heritage areas. This bill itself has \$15 million, which is a 50 percent increase on what the majority of heritage areas do receive.

The problem is very simple: This heritage area is to try to expand its tourism and other elements, and other areas pay for it. So if you are in tourist area A, you are now being taxed and your money will go to promote tourism in area B. And if that was simply a start-up fund, simply to get them started, none of us really have objections to that. But it isn't. It is becoming perpetual as we extend and extend and spend and spend more and more on these elements.

This particular heritage area in front of us covers 3,300 square miles, private and public land. When Republicans were in charge of this committee, as a standard we always included language in heritage area legislation that gave property owners the ability to opt out of boundaries. It was a compromise. It was weak, but at least it was there.

What we are trying to say in that is that people should have a voice in what is done to them. People should be given choices and options. And we should not refrain from doing that. We should not have the government setting what the standard is, what the boundary is, what the requirement is. And there are instances when outside groups have tried to pressure local zoning entities because of these boundaries.

It is not right that people should be locked inside a boundary, oftentimes with little prior knowledge of what is actually happening, because boundaries do have consequences. Otherwise, why have these boundaries?

If these heritage areas are so innocuous, there is no reason to lock an owner in. Give them the opportunity for full information so they can make decisions and, again, give them the choices of what they wish to do. That is how we should be treating individuals and property owners.

This area is one that is heavily traveled with narcotic trafficking, human trafficking, and now I appreciate the fact that the gentleman from Arizona and the Rules Committee in a self-executing rule did give some modicum of protection on these areas.

As late as last July we attempted in committee to try and put language similar to this to give some protection

in these areas. Rejected—not on a partisan vote, because several of the opposition side actually did vote with us, but nonetheless rejected in committee. I am proud of Representative GRIJALVA for now including this language in this bill, but it could be better, and that is the issue before us.

Less than a week ago, the GAO revealed that secure border initiatives are behind schedule, are years behind schedule, because of environmental delays. That simply means there are people out there within the National Park Service that blame the Border Patrol for environmental damage.

The Park Service's own admission is that it takes 6 months to complete documents necessary to place critical border protection technologies, like observation towers. There was one tower stopped on the border areas until they could prove in some kind of scientific study that the Sonoran pronghorn deer would leave that area of their own volition and would not be scared by these towers. I am sorry, that is ridiculous, but that is the reality of why we are here and the reality of what is happening.

So there are some concerns with this area. The majority did put language in there to try and protect border security and the border areas, and I am thankful for that and I applaud you for doing that, but you could have taken a big step further.

In this bill you did put some language in there to try and protect personal property, but you could have gone further just simply to say people should have the choice and the option of what they are doing. And once again we have a problem of heritage areas, supposed to be temporary, supposed to be start-up, staying year after year after year, getting fund after fund after fund of public money from point A to fund the exact thing that is happening in point B in competition with point A.

We have to rethink this thing, which is indeed what the Park Service asked us to do several years ago, to not produce anymore of these heritage areas until we come up with a comprehensive plan of how we are going to function with these heritage areas.

With that, Mr. Speaker, once again, the Republic will not falter if this bill passes, but it could have been much, much better, and it could have done much more to protect not only our border security but also the rights of individuals than what we are doing here. There are some good steps forward, I admit, but we have a long, long way to go. Once again, we still have the problem of what to do with heritage areas that are supposed to be temporary and simply will not go away.

Mr. Speaker, I would ask the gentleman from Arizona if he has any more speakers?

Mr. GRIJALVA. No.

Mr. BISHOP. In that situation, I yield back the balance of my time.

Mr. GRIJALVA. Mr. Speaker, in summary, I think H.R. 324 is a good

piece of legislation. When the heritage areas were formed 25 years ago, I don't believe Members of Congress, Republicans and Democrats, knew how successful they were going to be, how popular they were going to be, how much private money that these initiatives would leverage in communities, and, because of that, it continues to be popular with Members of both sides of the aisle.

The other issue is, as we go through this legislation and debate what is in there or not, I don't believe that there is a level of appeasement that we can put into this legislation that would garner the support from my colleagues on the other side of the aisle.

It is a good piece of legislation. I consider this not only good for the region that I represent, but beginning the process of on-the-border lands dealing with issues comprehensively. One of those issues is to recognize the richness, the diversity and the history of the region.

The other area that I want to talk about briefly is the issue of border enforcement. The problems along the border with enforcement are not due to the creation of heritage areas. They are not the reason that we have unauthorized crossings. They are not the reason that we have drug cartels. They are not the reason that we have organized gun runners from the United States. Those are not the reasons. Heritage areas are not to blame for that horrible situation. And the inability of Homeland Security over the last 5 years to effectively put their technology to work, to effectively do the kind of border security initiatives that they needed, environmental issues are not the cause of that.

□ 1500

I would say ineptitude, inefficiencies and waste of money were the reasons that that didn't get done. This bill solves a problem. It solves a problem of a region badly needing a shot in the arm, an acknowledgement that it is and continues to be a valued part of this great Nation of ours.

I yield back the remainder of my time and ask that the legislation be supported.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 760, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BISHOP of Utah. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BISHOP of Utah. In its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BISHOP of Utah moves to recommit the bill H.R. 324 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendments:

In section 5(c)(1) of the bill, insert “, in consultation with the Secretary of Homeland Security,” after “Secretary”.

In section 8(c) of the bill, amend paragraph (4) to read as follows:

(4) modifies, restricts, impedes, hinders, or supplants any border enforcement or security authority, including drug interdiction and illegal immigration control.

In section 9 of the bill, insert “(a) CLARIFICATION.—” before “Nothing”.

At the end of section 9 of the bill, add the following:

(b) PRIVATE PROPERTY OWNER PROTECTION.—

(1) No privately owned property shall be preserved, conserved, or promoted by the management plan for the National Heritage Area until the owner of that private property has been notified in writing by the management entity and has given written consent for such preservation, conservation, or promotion to the management entity.

(2) Any owner of private property included within the boundary of the National Heritage Area shall have their property immediately removed from within the boundary by submitting a written request to the management entity.

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 13. BORDER SECURITY.

Nothing in this Act may impede, prohibit, or restrict activities of the Secretary of Homeland Security to achieve operational control (as defined under Public Law 109-367) within the National Heritage Area.

Mr. BISHOP of Utah (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

Mr. GRIJALVA. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah is recognized for 5 minutes in support of his motion.

Mr. BISHOP of Utah. Thank you, Mr. Speaker. I appreciate the opportunity.

As I said, this bill could definitely be improved, and we are presenting some amendments in here that take the bill and make it a much better, stronger, significant bill.

I said in the original remarks that of course we have problems with heritage areas that simply will not go away. Even though they were supposed to be around for only 10 years, they keep living and living and consuming more and more funds. Having said that, I could still be supportive of this amendment if there were some specific guarantees placed in there for those specific issues that we have addressed in the past that actually could be a way we can move forward with other bills of a similar ilk.

Specifically in there, it deals with the idea of property rights. The gentleman from Arizona did sponsor legislation that dealt with the Yuma Crossing National Heritage Area. This was an area created in the year 2000 and, according to the Arizona Farm Bureau, was much larger than local farmers were expecting. Further exacerbating the problem, local zoning bureaucrats began to use the heritage area boundaries in planning. The problem is, once established, those entities had no recourse as private property owners to exempt themselves unless you came to Congress and had Congress adjust the boundaries. The gentleman from Arizona did that. We passed a law that shrunk the size of those areas down. That is a cumbersome and silly process to go through when all we need to do is give people the opportunity of being informed and make decisions for themselves so they can remove themselves when they wish to. That is what this amendment does. It asks the properties owners, before being included, to give their consent to be included in this new entity.

Now some will say, well, that's burdensome and difficult. It's hard to find all the property owners in an area. Yet when tax time comes, the government entities have an easy time finding all the property owners in an area. We could do the same thing, because the matter is not how efficient it is or how easy it is. The matter should be that private property rights are not a burden to government, and they should be respected in every way that is possible, especially in these areas where the National Park Service, who will be administering this, does not have a celebrated history of respecting private property rights and finding unique ways of having willing sellers.

This language that we are proposing should become the standard template for all legislation that deals with heritage areas and how we handle private property rights within those. This bill draws boundaries on a map. It covers and surrounds private property owners and then gives them no real recourse to remove themselves from those boundaries. Even if it says they don't have to participate, that is not the same thing, and it does have consequences. When it comes to border security, this bill is a perfect effort for us to move forward in some specific way.

Now, as I said, I commend the gentleman for actually adding some language that we have been trying to add to these types of bills in committee. But the language here is not necessarily enough. The sad situation that we find—not because of this bill, nor will it be solved because of this bill unless we add this particular language—is that the Border Patrol finds itself in a position of subservience to the National Park Service. I don't think Americans really know that when a Border Patrol agent crosses into a national park, he has to get out of his car, park it and walk. I don't think

they realize that the Border Patrol has to consult with the National Park Service before they can put up an antenna on that border. Their amendment gets some language in there to try to not impede or prohibit. But what we also put in this amendment is language that says that nothing will happen that will hinder or restrict our homeland security on border areas. This is a perfect opportunity to do so. It is there.

This amendment, for the first time, says that when those land use plans—and the bulk of the border in which the drug traffic and human traffic is coming are on public lands—it says that Homeland Security must be consulted in coming up with the land use plans. So they are an equal partner because this is significant. Right now they are not. This amendment is going to move us forward so that Homeland Security will not be impeded in their element. They will not have to wait to put up surveillance to see if a particular sheep will, on its own volition, move or not move. That is ridiculous, but that is what we are trying to do with this amendment.

Once again, this amendment takes the bill and improves it, which is why I'm proud of this amendment. This amendment clearly states what property rights are and which property owners may be in a heritage area which, as we have noted, does not go away in 10 years but tends to last on and on and on.

This amendment clearly gives Homeland Security, for the first time, a right to be an equal player in the decision of how to handle these lands, and this also gives us the right to make sure that nothing hinders or restricts what we do on the border.

Mr. Speaker, I yield back the balance of my time.

Mr. GRIJALVA. I rise to claim time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Thank you, Mr. Speaker.

I have come to accept the fact that redundancy is part of the process here that we go through. So in accepting that reality, let me just state one more time, nowhere in this legislation is there an infringement, a taking of private property rights. Nowhere.

The motion asks that close to a quarter of a million property owners, if not more, be notified and asked to either be part of or not be part of this heritage area. That process would create a Swiss cheese designation for that area; and in the previous 49, there is not one incident where a private property owner has been forced, coerced into being part of or permitting their private property to be used as a designation. That is already in the legislation.

With regard to the issue of border enforcement, again, I asked the Rules Committee to insert that so there

would be clarification that the activities of Homeland Security, plus all other local enforcement—the sheriffs, local police, tribal police, et cetera—that their ability to carry out their mission and enforce the law was part and parcel and that the heritage area in no way would impinge, infringe or restrict that ability. That is already in the legislation.

So why the motion to recommit? I think it's just part of a very cynical exploitation of a very, very divisive issue in this country, the issue of immigration and the issue of unauthorized people in this country. The heritage area is not responsible for that situation. It has been the inability of this Congress to come to grips with the situation that has aggravated and made it worse. And as a person who represents the border and has to deal with constituents that are affected by this decision every day, the lack of attention, serious, rational, mature attention to this issue, rather than exploitation of this issue, is what they're asking this Congress to do. The heritage area has nothing to do with how we're going to resolve this issue. The heritage area, for once, is an acknowledgement of a part of this country that for too long and, most recently, in a very cynical way has been exploited both as a region and the people who live there. We are saying, this heritage area is your acknowledgement that you're part and parcel of this country.

I ask that the motion to recommit be defeated.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 324, if ordered, and suspension of the rules with regard to H. Res. 696, if ordered.

The vote was taken by electronic device, and there were—yeas 259, nays 167, not voting 6, as follows:

[Roll No. 727]

YEAS—259

Aderholt	Biggert	Boucher
Adler (NJ)	Bilbray	Boustany
Akin	Bilirakis	Boyd
Alexander	Bishop (GA)	Brady (TX)
Altmire	Bishop (NY)	Bright
Arcuri	Bishop (UT)	Brown (GA)
Austria	Blackburn	Brown (SC)
Bachmann	Blunt	Brown-Waite,
Bachus	Bocchieri	Ginny
Baird	Boehner	Buchanan
Barrow	Bonner	Burgess
Bartlett	Bono Mack	Burton (IN)
Barton (TX)	Boozman	Buyer
Bean	Boren	Calvert
Berkley	Boswell	Camp

Campbell	Hunter	Nye
Cantor	Inglis	Olson
Cao	Israel	Paul
Capito	Issa	Paulsen
Cardoza	Jenkins	Pence
Carney	Johnson (IL)	Perriello
Carter	Johnson, Sam	Peters
Cassidy	Jones	Peterson
Castle	Jordan (OH)	Petri
Chaffetz	Kagen	Pitts
Chandler	Kanjorski	Platts
Childers	Kind	Poe (TX)
Coble	King (IA)	Posey
Coffman (CO)	King (NY)	Price (GA)
Cole	Kingston	Putnam
Conaway	Kirk	Radanovich
Costa	Kirkpatrick (AZ)	Rehberg
Costello	Kissell	Reichert
Crenshaw	Klein (FL)	Richardson
Cuellar	Kline (MN)	Roe (TN)
Culberson	Kosmas	Rogers (AL)
Dahlkemper	Kratovil	Rogers (KY)
Davis (AL)	Lamborn	Rogers (MI)
Davis (KY)	Lance	Rohrabacher
Davis (TN)	Latham	Rooney
Deal (GA)	LaTourette	Ros-Lehtinen
DeFazio	Latta	Roskam
Dent	Lee (NY)	Ross
Diaz-Balart, L.	Lewis (CA)	Royce
Diaz-Balart, M.	Linder	Ryan (WI)
Donnelly (IN)	Lipinski	Scalise
Dreier	LoBiondo	Schauer
Driehaus	Lucas	Schmidt
Duncan	Luetkemeyer	Schock
Edwards (TX)	Lummis	Schwartz
Ehlers	Lungren, Daniel	Sensenbrenner
Ellsworth	E.	Sessions
Emerson	Lynch	Sestak
Etheridge	Mack	Shadegg
Fallin	Maffei	Shimkus
Flake	Manzullo	Shuler
Fleming	Marchant	Shuster
Forbes	Markey (CO)	Simpson
Fortenberry	Marshall	Skelton
Foster	Massa	Smith (NE)
Fox	Matheson	Smith (TX)
Franks (AZ)	McCarthy (CA)	Souder
Frelinghuysen	McCarthy (NY)	Space
Galleghy	McCaul	Stearns
Garrett (NJ)	McClintock	Sullivan
Gerlach	McCotter	Tanner
Giffords	McHenry	Taylor
Gingrey (GA)	McIntyre	Teague
Gohmert	McKeon	Terry
Goodlatte	McMahon	Thompson (PA)
Gordon (TN)	McMorris	Thornberry
Graves	Rodgers	Tiahrt
Griffith	McNerney	Tiberi
Guthrie	Meek (FL)	Titus
Hall (TX)	Melancon	Turner
Halvorson	Mica	Upton
Harman	Miller (FL)	Walden
Harper	Miller (MI)	Walz
Hastings (WA)	Miller, Gary	Wamp
Heller	Minnick	Westmoreland
Hensarling	Mitchell	Whitfield
Herger	Moran (KS)	Wilson (SC)
Herseth Sandlin	Murphy (NY)	Wittman
Hill	Murphy, Patrick	Wolf
Himes	Murphy, Tim	Young (AK)
Hodes	Myrick	Young (FL)
Hoekstra	Neugebauer	
Holden	Nunes	

NAYS—167

Abercrombie	Conyers	Green, Gene
Ackerman	Cooper	Grijalva
Andrews	Courtney	Gutierrez
Baca	Crowley	Hall (NY)
Baldwin	Cummings	Hare
Becerra	Davis (CA)	Hastings (FL)
Berman	Davis (IL)	Heinrich
Berry	DeGette	Higgins
Blumenauer	DeLauro	Hinchey
Brady (PA)	Dicks	Hinojosa
Braley (IA)	Dingell	Hirono
Brown, Corrine	Doggett	Holt
Butterfield	Edwards (MD)	Honda
Capps	Ellison	Hoyer
Carnahan	Engel	Inslee
Carson (IN)	Eshoo	Jackson (IL)
Castor (FL)	Farr	Jackson-Lee
Chu	Fattah	(TX)
Clarke	Filner	Johnson (GA)
Clay	Frank (MA)	Johnson, E. B.
Cleaver	Fudge	Kaptur
Clyburn	Gonzalez	Kennedy
Cohen	Grayson	Kildee
Connolly (VA)	Green, Al	Kilpatrick (MI)

Kilroy	Olver	Sherman
Kucinich	Ortiz	Sires
Langevin	Pallone	Slaughter
Larsen (WA)	Pascarella	Smith (WA)
Larson (CT)	Pastor (AZ)	Snyder
Lee (CA)	Payne	Speier
Levin	Perlmutter	Spratt
Lewis (GA)	Pingree (ME)	Stark
Loeb sack	Polis (CO)	Stupak
Lofgren, Zoe	Pomeroy	Sutton
Lowe y	Price (NC)	Thompson (CA)
Lujan	Quigley	Thompson (MS)
Maloney	Rahall	Tierney
Markey (MA)	Rangel	Tonko
Matsui	Reyes	Towns
McCollum	Rodriguez	Tsongas
McDermott	Rothman (NJ)	Van Hollen
McGovern	Roybal-Allard	Velázquez
Meeks (NY)	Ruppersberger	Visclosky
Michaud	Rush	Wasserman
Miller (NC)	Ryan (OH)	Schultz
Miller, George	Salazar	Waters
Mollohan	Sánchez, Linda	Watson
Moore (KS)	T.	Watt
Moore (WI)	Sanchez, Loretta	Waxman
Moran (VA)	Sarbanes	Weiner
Murphy (CT)	Schakowsky	Welch
Murtha	Schiff	Wexler
Nadler (NY)	Schrader	Wilson (OH)
Napolitano	Scott (GA)	Woolsey
Neal (MA)	Scott (VA)	Wu
Oberstar	Serrano	Yarmuth
Obey	Shea-Porter	

NOT VOTING—6

Barrett (SC)	Delahunt	Granger
Capuano	Doyle	Smith (NJ)

□ 1550

Messrs. ACKERMAN, SCHRADER, LEVIN, SCOTT of Georgia, ELLISON, SARBANES, COHEN, LANGEVIN, TONKO and Mr. CARSON of Indiana changed their vote from “yea” to “nay.”

Messrs. ROE of Tennessee, KISSELL, Mrs. MYRICK, Messrs. KING of New York, ROSKAM, BILIRAKIS, KAGEN, HODES, Mrs. McMORRIS RODGERS, Messrs. SESTAK, BOSWELL, BOREN, LYNCH, CHILDERS, KLEIN of Florida, MAFFEL, HOLDEN, MASSA, COSTELLO, DEFAZIO, MATHESON, Ms. TITUS, Ms. RICHARDSON, Mr. KANJORSKI, Mrs. HALVORSON, Messrs. PATRICK J. MURPHY of Pennsylvania, DRIEHAUS, CHANDLER, MEEK of Florida, LIPINSKI, CUELLAR, DAVIS of Tennessee, Ms. HERSETH SANDLIN, Messrs. GORDON of Tennessee, TANNER, BISHOP of Georgia, PETERSON, BOYD, ROSS, KIND, Mrs. KIRKPATRICK of Arizona, Messrs. ETHERIDGE, EDWARDS of Texas, BOUCHER, Ms. SCHWARTZ, Ms. KOSMAS, Ms. BERKLEY, Messrs. ISRAEL, BISHOP of New York, COSTA, SKELTON, CARDOZA, BAIRD, Mrs. MCCARTHY of New York and Ms. HARMAN changed their vote from “nay” to “yea.”

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Mr. GRIJALVA. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report the bill, H.R. 324, back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GRIJALVA:

In section 5(c)(1) of the bill, insert “, in consultation with the Secretary of Homeland Security,” after “Secretary”.

In section 8(c) of the bill, amend paragraph (4) to read as follows:

(4) modifies, restricts, impedes, hinders, or supplants any border enforcement or security authority, including drug interdiction and illegal immigration control.

In section 9 of the bill, insert “(a) CLARIFICATION.—” before “Nothing”.

At the end of section 9 of the bill, add the following:

(b) PRIVATE PROPERTY OWNER PROTECTION.—

(1) No privately owned property shall be preserved, conserved, or promoted by the management plan for the National Heritage Area until the owner of that private property has been notified in writing by the management entity and has given written consent for such preservation, conservation, or promotion to the management entity.

(2) Any owner of private property included within the boundary of the National Heritage Area shall have their property immediately removed from within the boundary by submitting a written request to the management entity.

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 13. BORDER SECURITY.

Nothing in this Act may impede, prohibit, or restrict activities of the Secretary of Homeland Security to achieve operational control (as defined under Public Law 109-367) within the National Heritage Area.

Mr. GRIJALVA (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. GRIJALVA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 281, noes 142, not voting 9, as follows:

[Roll No. 728]

AYES—281

Abercrombie	Bishop (UT)	Cardoza
Ackerman	Blumenauer	Carnahan
Adler (NJ)	Bocieri	Carney
Altmire	Boren	Carson (IN)
Andrews	Boswell	Castle
Arcuri	Boucher	Castor (FL)
Baca	Boyd	Chandler
Baird	Brady (PA)	Childers
Baldwin	Braley (IA)	Chu
Barrow	Bright	Clarke
Bean	Brown, Corrine	Clay
Becerra	Brown-Waite,	Cleaver
Berkley	Ginny	Clyburn
Berman	Buchanan	Cohen
Berry	Butterfield	Connolly (VA)
Bishop (GA)	Buyer	Conyers
Bishop (NY)	Capps	Cooper

Costa	Kilpatrick (MI)	Pomeroy	Harper	Manzullo	Rogers (KY)	Bishop (GA)	Filner	Linder
Costello	Kilroy	Posey	Hastings (WA)	Marchant	Rogers (MI)	Bishop (NY)	Flake	Lipinski
Courtney	Kind	Price (NC)	Heller	McCarthy (CA)	Rohrabacher	Bishop (UT)	Fleming	LoBiondo
Crowley	Kirk	Quigley	Hensarling	McCaul	Rooney	Blackburn	Forbes	Loeb sack
Cuellar	Kirkpatrick (AZ)	Rahall	Herger	McClintock	Roskam	Blumenauer	Fortenberry	Lofgren, Zoe
Cummings	Kissell	Rangel	Hoekstra	McCotter	Royce	Blunt	Foster	Lowey
Dahlkemper	Klein (FL)	Reichert	Hunter	McHenry	Ryan (WI)	Boccheri	Fox	Lucas
Davis (AL)	Kosmas	Reyes	Inglis	McKeon	Scalise	Bonner	Frank (MA)	Luetkemeyer
Davis (CA)	Kratovil	Richardson	Issa	McMorris	Schmidt	Bono Mack	Franks (AZ)	Lujan
Davis (IL)	Kucinich	Rodriguez	Jenkins	Rodgers	Sensenbrenner	Boozman	Frelinghuysen	Lungren, Daniel
Davis (TN)	Lance	Ros-Lehtinen	Johnson (IL)	Mica	Sessions	Boren	Fudge	E.
DeFazio	Langevin	Ross	Johnson, Sam	Miller (FL)	Shadegg	Boswell	Gallegly	Lynch
DeGette	Larsen (WA)	Rothman (NJ)	Jordan (OH)	Miller (MI)	Shimkus	Boucher	Garrett (NJ)	Mack
DeLauro	Larson (CT)	Roybal-Allard	King (IA)	Miller, Gary	Smith (NE)	Boustany	Gerlach	Maffei
Dent	LaTourette	Ruppersberger	King (NY)	Moran (KS)	Smith (TX)	Boyd	Giffords	Maloney
Diaz-Balart, L.	Lee (CA)	Rush	Kingston	Myrick	Souder	Brady (PA)	Gingrey (GA)	Manzullo
Dicks	Levin	Ryan (OH)	Kline (MN)	Neugebauer	Stearns	Brady (TX)	Gohmert	Marchant
Dingell	Lewis (GA)	Salazar	Lamborn	Nunes	Sullivan	Braley (IA)	Gonzalez	Markey (CO)
Doggett	Lipinski	Sánchez, Linda T.	Latham	Olson	Terry	Bright	Goodlatte	Markey (MA)
Donnelly (IN)	LoBiondo	Sanchez, Loretta	Latta	Paul	Thornberry	Broun (GA)	Gordon (TN)	Marshall
Driehaus	Loeb sack	Sarbanes	Lee (NY)	Pence	Tiahrt	Brown (SC)	Graves	Massa
Edwards (MD)	Lofgren, Zoe	Schakowsky	Lewis (CA)	Pitts	Tiberi	Brown, Corrine	Grayson	Matheson
Edwards (TX)	Lowey	Schauer	Linder	Poe (TX)	Walden	Brown-Waite,	Green, Al	Matsui
Ehlers	Lujan	Schiff	Lucas	Price (GA)	Wamp	Ginny	Green, Gene	McCarthy (CA)
Ellison	Lynch	Schrader	Luetkemeyer	Putnam	Westmoreland	Buchanan	Griffith	McCarthy (NY)
Ellsworth	Maffei	Schwartz	Lummis	Radanovich	Whitfield	Burgess	Grijalva	McCaul
Engel	Maloney	Scott (GA)	Longren, Daniel E.	Rehberg	Wilson (SC)	Burton (IN)	Guthrie	McClintock
Eshoo	Markey (CO)	Scott (VA)	Mack	Roe (TN)	Wittman	Butterfield	Gutierrez	McCollum
Etheridge	Markey (MA)	Serrano		Rogers (AL)	Wolf	Buyer	Hall (NY)	McCotter
Farr	Marshall	Sestak				Calvert	Hall (TX)	McDermott
Fattah	Massa	Shea-Porter	Barrett (SC)	Diaz-Balart, M.	Schock	Camp	Halvorson	McGovern
Filner	Matheson	Sherman	Capuano	Doyle	Shuster	Campbell	Hare	McHenry
Fortenberry	Matsui	Shuler	Delahunt	Granger	Smith (NJ)	Cantor	Harman	McIntyre
Foster	McCarthy (NY)	Simpson				Cao	Harper	McKeon
Frank (MA)	McCollum	Sires				Capito	Hastings (FL)	McMahon
Frelinghuysen	McDermott	Skelton				Capps	Hastings (WA)	McMorris
Fudge	McGovern	Slaughter				Cardoza	Heinrich	Rodgers
Gerlach	McIntyre	Smith (WA)				Carnahan	Heller	McNerney
Giffords	McMahon	Snyder				Carney	Hensarling	Meek (FL)
Gonzalez	McNerney	Space				Carson (IN)	Herger	Meeks (NY)
Gordon (TN)	Meek (FL)	Speier				Carter	Hersteth Sandlin	Melancon
Grayson	Meeks (NY)	Spratt				Cassidy	Higgins	Mica
Green, Al	Melancon	Stark				Castle	Hill	Michaud
Green, Gene	Michaud	Stupak				Castor (FL)	Himes	Miller (FL)
Griffith	Miller (NC)	Sutton				Chaffetz	Hinchey	Miller (MI)
Grijalva	Miller, George	Tanner				Chandler	Hinojosa	Miller (NC)
Gutierrez	Minnick	Taylor				Childers	Hirono	Miller, Gary
Hall (NY)	Mitchell	Teague				Chu	Hodes	Miller, George
Halvorson	Mollohan	Thompson (CA)				Clarke	Hoekstra	Mitchell
Hare	Moore (KS)	Thompson (MS)				Clay	Holt	Mollohan
Harman	Moore (WI)	Thompson (PA)				Cleaver	Honda	Moore (KS)
Hastings (FL)	Moran (VA)					Clyburn	Hoyer	Moore (WI)
Heinrich	Murphy (CT)					Coble	Hunter	Moran (KS)
Hersteth Sandlin	Murphy (NY)					Coffman (CO)	Inglis	Moran (VA)
Higgins	Murphy, Patrick					Cohen	Inslee	Murphy (CT)
Hill	Murphy, Tim					Cole	Israel	Murphy (NY)
Himes	Murtha					Conaway	Issa	Murphy, Patrick
Hinchey	Nadler (NY)					Connolly (VA)	Jackson (IL)	Murphy, Tim
Hinojosa	Napolitano					Conyers	Jackson-Lee	Murtha
Hirono	Neal (MA)					Cooper	(TX)	Myrick
Hodes	Nye					Costa	Jenkins	Nadler (NY)
Holden	Oberstar					Costello	Johnson (GA)	Napolitano
Holt	Obey					Courtney	Johnson (IL)	Neal (MA)
Honda	Oliver					Crenshaw	Johnson, E. B.	Neugebauer
Hoyer	Ortiz					Crowley	Johnson, Sam	Nunes
Inslee	Pallone					Cuellar	Jones	Nye
Israel	Pascarell					Culberson	Jordan (OH)	Oberstar
Jackson (IL)	Pastor (AZ)					Cummings	Kagen	Obey
Jackson-Lee	Paulsen					Dahlkemper	Kanjorski	Olson
(TX)	Payne					Davis (AL)	Kaptur	Oliver
Johnson (GA)	Perlmutter					Davis (CA)	Kennedy	Ortiz
Johnson, E. B.	Perriello					Davis (IL)	Kildee	Pallone
Jones	Peters					Davis (KY)	Kilpatrick (MI)	Pascarell
Kagen	Peterson					Davis (TN)	Kilroy	Pastor (AZ)
Kanjorski	Petri					Deal (GA)	Kind	Paul
Kaptur	Pingree (ME)					DeFazio	King (IA)	Paulsen
Kennedy	Platts					DeGette	King (NY)	Payne
Kildee	Polis (CO)					DeLauro	Kingston	Pence
						Dent	Kirk	Perlmutter
						Diaz-Balart, L.	Kirkpatrick (AZ)	Perriello
						Diaz-Balart, M.	Kissell	Peters
						Dicks	Klein (FL)	Peterson
						Dingell	Kline (MN)	Petri
						Donnelly (IN)	Kosmas	Pingree (ME)
						Dreier	Kratovil	Pitts
						Driehaus	Kucinich	Platts
						Duncan	Lamborn	Poe (TX)
						Edwards (MD)	Lance	Polis (CO)
						Edwards (TX)	Langevin	Pomeroy
						Ehlers	Larsen (WA)	Posey
						Ellison	Larson (CT)	Price (GA)
						Ellsworth	Latham	Price (NC)
						Emerson	LaTourette	Putnam
						Engel	Latta	Quigley
						Eshoo	Lee (CA)	Radanovich
						Etheridge	Lee (NY)	Rahall
						Fallin	Levin	Rangel
						Farr	Lewis (CA)	Rehberg
						Fattah	Lewis (GA)	Reichert

NOT VOTING—9

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in this vote.

□ 1559

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING 50TH ANNIVERSARY OF WESTERN WYOMING COMMUNITY COLLEGE

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 696.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and agree to the resolution, H. Res. 696.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. LOEBSACK. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 418, noes 0, not voting 14, as follows:

[Roll No. 729]

AYES—418

NOES—142					
Aderholt	Broun (GA)	Davis (KY)	Abercrombie	Austria	Bean
Akin	Brown (SC)	Deal (GA)	Ackerman	Baca	Becerra
Alexander	Burgess	Dreier	Aderholt	Bachmann	Berkley
Austria	Burton (IN)	Duncan	Adler (NJ)	Bachus	Berman
Bachmann	Calvert	Emerson	Akin	Baird	Berry
Bachus	Camp	Fallin	Alexander	Baldwin	Biggert
Bartlett	Campbell	Flake	Altmire	Barrow	Bilbray
Barton (TX)	Cantor	Fleming	Andrews	Barton (TX)	Bilirakis
Biggert	Cao	Forbes			
Bilbray	Capito	Fox			
Bilirakis	Carter	Franks (AZ)			
Blackburn	Cassidy	Gallegly			
Blunt	Chaffetz	Garrett (NJ)			
Boehner	Coble	Gingrey (GA)			
Bonner	Coffman (CO)	Gohmert			
Bono Mack	Cole	Goodlatte			
Boozman	Conaway	Graves			
Boustany	Crenshaw	Guthrie			
Brady (TX)	Culberson	Hall (TX)			

Reyes	Serrano	Tiberi
Richardson	Sessions	Tierney
Rodriguez	Sestak	Titus
Roe (TN)	Shadegg	Tonko
Rogers (AL)	Shea-Porter	Towns
Rogers (KY)	Sherman	Tsongas
Rogers (MI)	Shimkus	Turner
Rohrabacher	Shuler	Upton
Rooney	Shuster	Van Hollen
Ros-Lehtinen	Simpson	Velázquez
Roskam	Sires	Visclosky
Ross	Skelton	Walden
Rothman (NJ)	Slaughter	Walz
Roybal-Allard	Smith (NE)	Wamp
Royce	Smith (TX)	Wasserman
Ruppersberger	Smith (WA)	Schultz
Rush	Snyder	Watson
Ryan (OH)	Souder	Watt
Ryan (WI)	Space	Waxman
Salazar	Speier	Waxman
Sánchez, Linda	Spratt	Weiner
T.	Stark	Welch
Sanchez, Loretta	Stearns	Westmoreland
Sarbanes	Stupak	Wexler
Scalise	Sullivan	Whitfield
Schakowsky	Sutton	Wilson (OH)
Schauer	Tanner	Wilson (SC)
Schiff	Taylor	Wittman
Schmidt	Teague	Wolf
Schock	Terry	Woolsey
Schrader	Thompson (CA)	Wu
Schwartz	Thompson (MS)	Yarmuth
Scott (GA)	Thompson (PA)	Young (AK)
Scott (VA)	Thornberry	Young (FL)
Sensenbrenner	Tiahrt	

NOT VOTING—14

Arcuri	Delahunt	Lummis
Barrett (SC)	Doggett	Minnick
Bartlett	Doyle	Smith (NJ)
Boehner	Granger	Waters
Capuano	Holden	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1606

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SURFACE TRANSPORTATION EXTENSION ACT OF 2009

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3617) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3617

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; EXTENSION PERIOD.

(a) **SHORT TITLE.**—This Act may be cited as the “Surface Transportation Extension Act of 2009”.

(b) **EXTENSION PERIOD.**—This Act extends funding for programs funded out of the Highway Trust Fund for the period beginning on October 1, 2009, and ending on the earlier of—

(1) the date of enactment of a multiyear law reauthorizing the Federal-aid highway, highway safety, motor carrier safety, and transit programs enacted after the date of enactment of this Act; and

(2) December 31, 2009.

SEC. 2. FEDERAL-AID HIGHWAY PROGRAM.

(a) APPORTIONMENTS.—

(1) **IN GENERAL.**—On October 1 of fiscal year 2010, the Secretary of Transportation shall apportion funds authorized for such fiscal year under section 1101(c) of SAFETEA-LU (119 Stat. 1153) (as added by subsection (d) of this section) to each State such that the State's share of funds apportioned is equal to the State's share for fiscal year 2009 of funds apportioned or allocated for the programs specified in paragraph (2).

(2) **SPECIFIC PROGRAMS.**—The programs referred to in paragraph (1) are—

(A) the programs listed in section 105(a)(2) of title 23, United States Code;

(B) the program authorized by section 144(f)(1) of such title;

(C) the program authorized by section 1934 of SAFETEA-LU (119 Stat. 1485); and

(D) the program authorized by section 1962 of SAFETEA-LU (119 Stat. 1518).

(b) PROGRAMMATIC DISTRIBUTIONS.—

(1) **PROGRAMS.**—Of the funds to be apportioned to each State under subsection (a), the Secretary shall ensure that the State is apportioned an amount, determined in accordance with paragraph (2), of the funds for each program specified in subsection (a)(2), with the following exceptions:

(A) The high priority projects program authorized by section 117 of title 23, United States Code.

(B) The program authorized by section 144(f)(1) of such title.

(C) The program authorized by section 1934 of SAFETEA-LU (119 Stat. 1485).

(D) The program authorized by section 1962 of SAFETEA-LU (119 Stat. 1518).

(2) **DISTRIBUTION.**—The amount that each State shall be apportioned under this subsection for each program for which funds may be apportioned under paragraph (1) shall be determined by multiplying—

(A) the amount apportioned to the State under subsection (a) for the fiscal year; by

(B) the ratio that—

(i) the amount of funds apportioned or allocated for such program to the State for fiscal year 2009; bears to—

(ii) the total of the amount of funds apportioned or allocated for all of such programs to the State for fiscal year 2009.

(3) **ADMINISTRATION OF FUNDS.**—Funds authorized by the amendment made by subsection (d) shall be administered as if the funds had been apportioned, allocated, deducted, or set aside, as the case may be, under title 23, United States Code, or under SAFETEA-LU (119 Stat. 1144 et seq.), except that the deductions and set-asides under the following sections shall not apply to such funds:

(A) Sections 104(b)(1)(A), 104(f), 104(h)(1), 118(c)(1), 130(e)(1), 140(b), 140(c), and 144(f)(1) of title 23, United States Code.

(B) Section 1404(c)(3) of SAFETEA-LU (119 Stat. 1229).

(C) Section 111 of the SAFETEA-LU Technical Corrections Act of 2008 (122 Stat. 1572).

(4) **SPECIAL RULE FOR EQUITY BONUS.**—The amounts apportioned to the States under this section for the equity bonus program under section 105 of title 23, United States Code, shall be treated, for purposes of section 105(d) of such title, as amounts made available under section 105 of such title, except that, for the period referred to in section 1(b), the \$2,639,000,000 set forth in section 105(d)(1) of such title shall be treated as being \$659,750,000.

(5) **EXTENSION OF BRIDGES NOT ON FEDERAL-AID HIGHWAYS.**—Section 144(f)(2)(A) of title 23, United States Code, is amended by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(c) **REPAYMENT FROM FUTURE APPORTIONMENTS.**—

(1) **IN GENERAL.**—The Secretary shall reduce the amount that would be apportioned, but for this section, to a State for programs under chapter 1 of title 23, United States Code, or under title I of SAFETEA-LU (119 Stat. 1144 et seq.), for fiscal year 2010, under a multiyear law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act by the amount that is apportioned to each State under subsection (a) for each such program for fiscal year 2010.

(2) **PROGRAM CATEGORY RECONCILIATION.**—The Secretary may establish procedures under which funds apportioned under subsection (a) for a program category for which funds are not authorized under a law described in paragraph (1) may be restored to the Federal-aid highway program.

(d) **AUTHORIZATION OF CONTRACT AUTHORITY.**—Section 1101 of SAFETEA-LU (119 Stat. 1153) is amended by adding at the end the following:

“(c) **ADDITIONAL AUTHORIZATIONS.**—

“(1) **IN GENERAL.**—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out section 2(a) of the Surface Transportation Extension Act of 2009 \$9,848,113,116 for the period referred to in section 1(b) of that Act.

“(2) **SPECIAL RULE.**—Funds apportioned under section 2(a) of the Surface Transportation Extension Act of 2009 shall be subject to a limitation on obligations for Federal-aid highways and highway safety construction programs.

“(3) **CONTRACT AUTHORITY.**—Funds authorized by this subsection shall be made available for obligation and administered in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that funds made available for the safe routes to school program authorized by section 1404, the coordinated border infrastructure program authorized by subtitle IV of title 40, United States Code, shall remain available until expended.”.

(e) **LIMITATION ON OBLIGATIONS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), upon enactment of an Act making appropriations for the Department of Transportation for fiscal year 2010 (other than an Act or resolution making continuing appropriations), the Secretary shall—

(A) first calculate the distribution of the obligation limitation for Federal-aid highways and highway safety construction programs provided by such Act according to the provisions of such Act, and, as necessary for purposes of making the calculations for the distribution of any obligation limitation under such Act, the Secretary shall annualize the amount of contract authority provided under this Act for Federal-aid highways and highway safety construction programs; and then

(B) multiply the results of the calculations made under subparagraph (A) by one-quarter.

(2) **EXCEPTION.**—An amount equal to \$159,750,000 of the funds made available for the period referred to in section 1(b) for the equity bonus program authorized by section 105 of title 23, United States Code, shall not be subject to any obligation limitation.

(3) **TIME PERIOD FOR OBLIGATIONS.**—After the last day of the period referred to in section 1(b), no funds shall be obligated for any Federal-aid highway program project until the date of enactment of a multiyear law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act.

(4) TREATMENT OF OBLIGATIONS.—Any obligation of obligation authority distributed under this subsection for fiscal year 2010 shall be considered to be an obligation for Federal-aid highways and highway safety construction programs for fiscal year 2010 for the purposes of any obligation limitation set in an Act making appropriations for the Department of Transportation for fiscal year 2010.

SEC. 3. FEDERAL-AID HIGHWAY PROGRAM ADMINISTRATIVE EXPENSES.

(a) AUTHORIZATION OF CONTRACT AUTHORITY.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) for administrative expenses of the Federal-aid highway program \$105,929,410 for the period referred to in section 1(b). Such funds may be used for the purposes described in sections 104(a)(2) and 104(i) of title 23, United States Code.

(b) CONTRACT AUTHORITY.—Funds made available by this section shall be available for obligation and shall be administered in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to a limitation on obligations for Federal-aid highways and highway safety construction programs, except that such funds shall remain available until expended.

SEC. 4. OTHER FEDERAL-AID HIGHWAY PROGRAMS.

(a) EXTENSION OF ISTEA AXLE WEIGHT EXEMPTION FOR TRANSIT VEHICLES AND OVER-THE-ROAD BUSES.—Section 1023(h) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 127 note; 106 Stat. 1552) is amended—

(1) in paragraph (1) by striking “October 1, 2009” and inserting “the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”; and

(2) in paragraph (2)(A) by striking “September 30, 2009” and inserting “the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(b) EXTENSION OF FLEXIBILITY UNDER TEA-21 IN USE OF CERTAIN STP FUNDS.—Section 1108(f)(1) of the Transportation Equity Act for the 21st Century (23 U.S.C. 133 note; 112 Stat. 141) is amended by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(c) EXTENSION OF AUTHORIZATIONS AND FLEXIBILITIES UNDER TITLE I OF SAFETEA-LU.—

(1) FEDERAL LANDS HIGHWAYS PROGRAM.—

(A) INDIAN RESERVATION ROADS.—Section 1101(a)(9)(A) of SAFETEA-LU (119 Stat. 1154) is amended—

(i) in clause (iv) by striking “and” at the end;

(ii) in clause (v) by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following: “(vi) \$112,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”

(B) PARK ROADS AND PARKWAYS.—Section 1101(a)(9)(B)(i) of SAFETEA-LU (119 Stat. 1154) is amended—

(i) in subclause (IV) by striking “and” at the end;

(ii) in subclause (V) by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following: “(VI) \$60,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”

(C) REFUGE ROADS.—Section 1101(a)(9)(C) of SAFETEA-LU (119 Stat. 1154) is amended by inserting before the period at the end the following: “and \$7,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(D) PUBLIC LANDS HIGHWAYS.—Section 1101(a)(9)(D) of SAFETEA-LU (119 Stat. 1154) is amended—

(i) in clause (iv) by striking “and” at the end;

(ii) in clause (v) by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following: “(vi) \$75,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”

(E) FOREST HIGHWAYS.—Section 1119(m) of SAFETEA-LU (119 Stat. 1190) is amended—

(i) in paragraph (1) by striking “for each fiscal year” and inserting “for each of fiscal years 2005 through 2009 and \$5,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”; and

(ii) in paragraph (2) by striking “for each fiscal year” and inserting “for each of fiscal years 2005 through 2009 and \$250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”; and

(iii) in paragraph (3) by striking “for each fiscal year” and inserting “for each of fiscal years 2005 through 2009 and \$2,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(F) BIA ADMINISTRATIVE EXPENSES.—Section 202(d)(2)(F)(i) of title 23, United States Code, is amended by striking “and \$27,000,000 for fiscal year 2009” and inserting “\$27,000,000 for fiscal year 2009, and \$6,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(G) INDIAN RESERVATION ROAD BRIDGES.—Section 202(d)(4)(B)(i) of title 23, United States Code, is amended by inserting after “2009” the following: “and \$3,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(2) NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROGRAM.—

(A) IN GENERAL.—Section 1101(a)(10) of SAFETEA-LU (119 Stat. 1154) is amended—

(i) in subparagraph (D) by striking “and” at the end;

(ii) in subparagraph (E) by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following: “(F) \$97,400,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”

(B) DESIGNATED PROJECTS.—Notwithstanding section 1302(e) of SAFETEA-LU (119 Stat. 1205), the Secretary shall allocate funds made available for the national corridor infrastructure improvement program for the period referred to in section 1(b) on the basis of a competitive selection process in accordance with section 1302(b) of such Act (119 Stat. 1204).

(3) NATIONAL SCENIC BYWAYS PROGRAM.—

(A) IN GENERAL.—Section 1101(a)(12) of SAFETEA-LU (119 Stat. 1155) is amended—

(i) in subparagraph (D) by striking “and” at the end;

(ii) in subparagraph (E) by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following: “(F) \$10,875,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”

(B) RESOURCE CENTER.—Section 1803(c) of SAFETEA-LU (119 Stat. 1458) is amended by striking “and \$3,000,000 for each of fiscal years 2006 through 2009” and inserting “, \$3,000,000 for each of fiscal years 2006 through 2009, and \$750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(4) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—

(A) IN GENERAL.—Section 1101(a)(13) of SAFETEA-LU (119 Stat. 1155) is amended—

(i) in subparagraph (D) by striking “and” at the end;

(ii) in subparagraph (E) by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following: “(F) \$16,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”

(B) NATIONAL FERRY DATABASE.—Section 1801(e)(4)(C) of SAFETEA-LU (119 Stat. 1456) is amended by inserting after “2009” the following: “and not more than \$125,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(C) SET ASIDE FOR ALASKA, NEW JERSEY, AND WASHINGTON.—Section 147(d) of title 23, United States Code, is amended—

(i) in paragraph (1) by inserting after “2009” the following: “, and \$5,000,000 of the amount made available to carry out this section for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,”;

(ii) in paragraph (2) by striking “a fiscal year” and inserting “each of fiscal years 2005 through 2009, and \$2,500,000 of the \$5,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,”;

(iii) in paragraph (3) by striking “a fiscal year” and inserting “each of fiscal years 2005 through 2009, and \$1,250,000 of the \$5,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,”; and

(iv) in paragraph (4) by striking “a fiscal year” and inserting “each of fiscal years 2005 through 2009, and \$1,250,000 of the \$5,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,”.

(5) PUERTO RICO HIGHWAY PROGRAM.—

(A) IN GENERAL.—Section 1101(a)(14) of SAFETEA-LU (119 Stat. 1155) is amended—

(i) in subparagraph (D) by striking “and” at the end;

(ii) in subparagraph (E) by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following: “(F) \$37,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”

(B) ALLOCATION OF FUNDS.—Section 165(a) of title 23, United States Code, is amended by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(6) PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE PROGRAM.—

(A) IN GENERAL.—Section 1101(a)(15) of SAFETEA-LU (119 Stat. 1155) is amended—

(i) in subparagraph (D) by striking “and” at the end;

(ii) in subparagraph (E) by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following: “(F) \$88,950,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”

(B) DESIGNATED PROJECTS.—Notwithstanding section 1301(m) of SAFETEA-LU (119 Stat. 1202), the Secretary shall allocate funds made available for the projects of national and regional significance program for the period referred to in section 1(b) on the basis of a competitive selection process in accordance with sections 1301(d), 1301(e), and 1301(f) of such Act (119 Stat. 1199).

(7) DEPLOYMENT OF MAGNETIC LEVITATION TRANSPORTATION PROJECTS.—Section 1101(a)(18) of SAFETEA-LU (119 Stat. 1155) is amended by inserting after “2009” the following: “and \$11,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(8) HIGHWAYS FOR LIFE.—

(A) IN GENERAL.—Section 1101(a)(20) of SAFETEA-LU (119 Stat. 1156) is amended—

(i) in subparagraph (A) by striking “and” at the end;

(ii) in subparagraph (B) by striking the period at the end and inserting “; and”; and
(iii) by adding at the end the following:

“(C) \$5,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”.

(B) PROJECT SELECTIONS.—Section 1502(b)(6) of SAFETEA-LU (119 Stat. 1237) is amended by striking “the period of fiscal years 2005 through 2009” and inserting “the period beginning on October 1, 2004, and ending on the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(9) HIGHWAY USE TAX EVASION PROJECTS.—

(A) IN GENERAL.—Section 1101(a)(21) of SAFETEA-LU (119 Stat. 1156) is amended—

(i) in subparagraph (C) by striking “and” at the end;

(ii) in subparagraph (D) by striking the period at the end and inserting “; and”; and
(iii) by adding at the end the following:

“(E) \$3,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”.

(B) ALLOCATIONS.—Section 1115(c) of SAFETEA-LU (119 Stat. 1177) is amended—

(i) by inserting after “2009” the first place it appears the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”; and
(ii) by adding at the end the following:

“(5) \$3,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”.

(C) SUBALLOCATIONS.—Section 143 of title 23, United States Code, is amended—

(i) in subsection (b)(2) by inserting after “\$2,000,000” the following: “(and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, \$500,000)”; and
(ii) in subsection (c)(3) by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(10) TRANSPORTATION, COMMUNITY, AND SYSTEM PRESERVATION PROGRAM.—Section 1117(g)(1) of SAFETEA-LU (119 Stat. 1178) is amended by striking “and \$61,250,000 for each of fiscal years 2006 through 2009” and inserting “, \$61,250,000 for each of fiscal years 2006 through 2009, and \$15,312,500 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(11) TRUCK PARKING FACILITIES.—Section 1305(d)(1) of SAFETEA-LU (119 Stat. 1215) is amended by inserting after “2009” the following: “and \$1,562,500 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(12) DELTA REGION TRANSPORTATION DEVELOPMENT PROGRAM.—Section 1308(h)(1) of SAFETEA-LU (119 Stat. 1218) is amended by inserting after “2009” the following: “and \$2,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(13) ROADWAY SAFETY IMPROVEMENTS FOR OLDER DRIVERS AND PEDESTRIANS.—Section 1405(c) of SAFETEA-LU (119 Stat. 1231) is amended by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(14) WORK ZONE SAFETY GRANTS.—Section 1409(c)(1) of SAFETEA-LU (119 Stat. 1232) is amended by inserting before the period at the end the following: “and \$1,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(15) NATIONAL WORK ZONE SAFETY INFORMATION CLEARINGHOUSE.—Section 1410 of SAFETEA-LU (119 Stat. 1233) is amended—

(A) in subsection (a) by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”; and
(B) in subsection (b) by inserting before the period at the end the following: “and \$250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(B) in subsection (b) by inserting before the period at the end the following: “and \$250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(16) ROADWAY SAFETY.—Section 1411 of SAFETEA-LU (119 Stat. 1234) is amended—

(A) in subsection (a)(2) by inserting after “2009” the following: “and \$125,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”; and
(B) in subsection (b)(2) by striking “and \$500,000 for each of fiscal years 2006 through 2009” and inserting “, \$500,000 for each of fiscal years 2006 through 2009, and \$125,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(17) VALUE PRICING PILOT PROGRAM.—Section 1012(b)(8) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 149 note; 105 Stat. 1938) is amended—

(A) in subparagraph (A)—
(i) in clause (i) by striking “and” at the end;

(ii) in clause (ii) by striking the period at the end and inserting “; and”; and
(iii) by adding at the end the following:

“(iii) for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, \$3,000,000.”; and
(B) in subparagraph (B) by inserting after “2009” the following: “and \$750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(18) EXPRESS LANES DEMONSTRATION PROGRAM.—Section 1604(b)(2) of SAFETEA-LU (119 Stat. 1250) is amended by striking “during the period of fiscal years 2005 through 2009” and inserting “during the period beginning on October 1, 2004, and ending on the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(19) NATIONAL HISTORIC COVERED BRIDGE PRESERVATION.—Section 1804(d) of SAFETEA-LU (119 Stat. 1459) is amended by inserting before the period at the end the following: “and \$2,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(20) ADDITIONAL AUTHORIZATION OF CONTRACT AUTHORITY FOR STATES WITH INDIAN RESERVATIONS.—Section 1214(d)(5)(A) of the Transportation Equity Act for the 21st Century (23 U.S.C. 202 note; 112 Stat. 206) is amended by inserting before the period at the end the following: “and \$450,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(21) NONMOTORIZED TRANSPORTATION PILOT PROGRAM.—Section 1807 of SAFETEA-LU (23 U.S.C. 217 note; 119 Stat. 1460) is amended—

(A) in subsection (c) by striking “per fiscal year” and inserting “for each of fiscal years 2006 through 2009 and \$1,562,500 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”; and
(B) in subsection (f)(1) by inserting before the period at the end the following: “and \$6,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(22) ADDITION TO CMAQ-ELIGIBLE PROJECTS.—Section 1808 of SAFETEA-LU (119 Stat. 1464) is amended—

(A) in subsection (i) by striking “September 30, 2009,” and inserting “the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,”; and
(B) in subsection (j) by striking “September 30, 2009,” and inserting “the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,”.

(23) GRANT PROGRAM TO PROHIBIT RACIAL PROFILING.—Section 1906(e)(1) of SAFETEA-LU (23 U.S.C. 402 note; 119 Stat. 1469) is amended by inserting before the period at the end the following: “and \$1,875,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(24) GOING-TO-THE-SUN ROAD, GLACIER NATIONAL PARK, MONTANA.—Section 1940(a) of SAFETEA-LU (119 Stat. 1511; 120 Stat. 1109) is amended—

(A) in paragraph (2) by striking “and” at the end;

(B) in paragraph (3) by striking the period at the end and inserting “; and”; and
(C) by adding at the end the following:

“(4) \$4,166,667 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”.

(25) GREAT LAKES ITS IMPLEMENTATION.—Section 1943(b) of SAFETEA-LU (119 Stat. 1512) is amended by striking “and \$3,000,000 for fiscal year 2009” and inserting “, \$3,000,000 for fiscal year 2009, and \$750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(26) BONDING ASSISTANCE PROGRAM.—Section 332(e)(2) of title 49, United States Code, is amended by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(27) DENALI ACCESS SYSTEM PROGRAM.—Section 309(j)(1) of the Denali Commission Act of 1998 (42 U.S.C. 3121 note) is amended by inserting before the period at the end the following: “and \$3,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(28) SAFE ROUTES TO SCHOOL PROGRAM ADMINISTRATIVE EXPENSES.—

(A) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 1404(c)(3) of SAFETEA-LU (119 Stat. 1228) \$750,000 for the period referred to in section 1(b).

(B) CONTRACT AUTHORITY.—Funds made available by this paragraph shall be available for obligation and administered in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to a limitation on obligations for Federal-aid highways and highway safety construction programs.

(d) EXTENSION OF AUTHORIZATIONS UNDER TITLE V OF SAFETEA-LU.—

(1) IN GENERAL.—

(A) SURFACE TRANSPORTATION RESEARCH, DEVELOPMENT, AND DEPLOYMENT PROGRAM.—Section 5101(a)(1) of SAFETEA-LU (119 Stat. 1779) is amended by inserting after “2009” the following: “and \$49,100,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(B) TRAINING AND EDUCATION.—Section 5101(a)(2) of SAFETEA-LU (119 Stat. 1779) is amended by inserting after “2009” the following: “and \$6,675,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(C) BUREAU OF TRANSPORTATION STATISTICS.—Section 5101(a)(3) of SAFETEA-LU (119 Stat. 1779) is amended by inserting after “2009” the following: “and \$6,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(D) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5101(a)(4) of SAFETEA-LU (119 Stat. 1779) is amended by striking “and \$78,900,000 for fiscal year 2009” and inserting “\$78,900,000 for fiscal year 2009, and \$19,725,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(E) INTELLIGENT TRANSPORTATION SYSTEMS (ITS) RESEARCH.—Section 5101(a)(5) of

SAFETEA-LU (119 Stat. 1779) is amended by inserting after “2009” the following: “and \$27,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(2) DISTRIBUTION OF FUNDS.—For each program continued under the amendments made by paragraph (1), the Secretary of Transportation shall allocate the funds made available for the program for the period referred to in section 1(b) among the major program areas under that program in the same ratio as funds were allocated among those major program areas for fiscal year 2009, except that any designation of funds for specific activities shall not be required to be continued during that period.

(3) OBLIGATION CEILING.—Section 5102 of SAFETEA-LU (119 Stat. 1780) is amended by inserting before the period at the end the following: “and \$102,722,222 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(e) EXTENSION OF SAFETEA-LU TECHNICAL CORRECTIONS ACT OF 2008 PROVISIONS.—

(1) ADDITIONAL DISCRETIONARY USE OF SURFACE TRANSPORTATION PROGRAM FUNDS.—Section 105(d) of the SAFETEA-LU Technical Corrections Act of 2008 (122 Stat. 1601) is amended by inserting after “\$1,000,000” the following: “, and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009 not more than \$250,000.”.

(2) HIGHWAY RESEARCH FUNDING.—

(A) FUTURE STRATEGIC HIGHWAY RESEARCH PROGRAM.—

(i) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out the future strategic highway research program under section 510 of title 23, United States Code, \$13,127,073 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.

(ii) CONTRACT AUTHORITY.—Funds made available by this subparagraph shall be available for obligation and administered in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of activities carried out using such funds shall be 100 percent and such funds shall remain available until expended. Such funds shall be subject to a limitation on obligations for Federal-aid highways and highway safety construction programs.

(B) FUNDING FOR RESEARCH ACTIVITIES.—Section 111(f) of the SAFETEA-LU Technical Corrections Act of 2008 (122 Stat. 1605) is amended—

(i) in paragraph (1) by inserting after “2009” the following: “and \$250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”; and

(ii) in paragraph (2) by inserting after “2009” the following: “and \$1,225,000 shall be available for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(C) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5506(k)(3) of title 49, United States Code, is amended by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(f) EXTENSION OF SET-ASIDE PROGRAMS AND ACTIVITIES.—Section 1101 of SAFETEA-LU (119 Stat. 1153) is further amended by adding at the end the following:

“(d) EXTENSION OF SET-ASIDE PROGRAMS AND ACTIVITIES.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for the period referred to in section 1(b) of the

Surface Transportation Extension Act of 2009:

“(A) RECREATIONAL TRAILS ADMINISTRATIVE COSTS.—To cover costs of the Secretary described in section 104(h)(1) of title 23, United States Code, \$210,000.

“(B) INTERSTATE MAINTENANCE DISCRETIONARY PROJECTS.—To carry out projects described in section 118(c)(1) of such title \$25,000,000.

“(C) NONDISCRIMINATION.—

“(i) SKILLS TRAINING.—For the administration of section 140(b) of such title \$2,500,000.

“(ii) ON-THE-JOB TRAINING.—For the administration of section 140(c) of such title \$2,500,000.

“(D) TERRITORIES.—For the territorial highway program under section 215 of such title \$12,500,000.

“(E) ALASKA HIGHWAY.—For the Alaska Highway program under section 218 of such title \$7,500,000.

“(2) PROJECT SELECTION CRITERIA.—The project selection criteria in section 118(c)(2) of such title shall apply to amounts made available by paragraph (1)(B).

“(3) CONTRACT AUTHORITY.—Funds made available by this subsection shall be available for obligation and administered in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to a limitation on obligations for Federal-aid highways and highway safety construction programs.”.

(g) OPERATION LIFESAVER.—Section 104(d)(1)(B) of title 23, United States Code, is amended by inserting after “2009” the following: “and \$140,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(h) RAILWAY-HIGHWAY CROSSING HAZARD ELIMINATION IN HIGH SPEED RAIL CORRIDORS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 104(d)(2)(A)(ii) of title 23, United States Code, is amended by striking “and \$15,000,000 for fiscal year 2009” and inserting “\$15,000,000 for fiscal year 2009, and \$3,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(2) CERTAIN IMPROVEMENTS.—Section 104(d)(2)(E) of such title is amended by striking “and \$3,000,000 for fiscal year 2009” and inserting “\$3,000,000 for fiscal year 2009, and \$750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(i) INCREASED FEDERAL SHARE FOR CMAQ PROJECTS.—Section 120(c)(2) of title 23, United States Code, is amended by inserting after “or both,” the following: “or with funds obligated in the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”.

(j) HOV FACILITIES.—Section 166(b)(5) of title 23, United States Code, is amended by striking “Before September 30, 2009” each place it appears and inserting “Through the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(k) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION.—Section 608 of title 23, United States Code, is amended—

(1) in subsection (a)(1) by inserting before the period at the end the following: “and \$30,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”; and

(2) in subsection (a)(3) by inserting before the period at the end the following: “and not more than \$550,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(l) STATE INFRASTRUCTURE BANK PROGRAM.—Section 610 of title 23, United States Code, is amended—

(1) in subsection (d)(1)—

(A) in subparagraph (A) by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”; and

(B) in subparagraph (B) by inserting after “fiscal years” the following: “, and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”;

(2) in subsection (d)(2) by inserting after “2009” the following: “, and in the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”;

(3) in subsection (d)(3) by inserting after “2009” the following: “, and in the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”; and

(4) in subsection (k) by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(m) REDUCTION OF ALLOCATED PROGRAMS.—The Secretary of Transportation shall reduce the amount that would be made available, but for this section, for fiscal year 2010 for allocation under a program that is continued both by a multiyear law reauthorizing such program enacted after the date of enactment of this Act and by this section (including the amendments made by this section) by the amount made available for such program by this section (including the amendments made by this section).

(n) PROGRAM CATEGORY RECONCILIATION.—The Secretary may establish procedures under which funds allocated under this section and the amendments made by this section for fiscal year 2010 for a program category for which funds are not authorized for fiscal year 2010 under a multiyear law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act may be restored to the Federal-aid highway program.

SEC. 5. EXTENSION OF HIGHWAY SAFETY PROGRAMS OF THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION.

(a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2001(a)(1) of SAFETEA-LU (119 Stat. 1519) is amended—

(1) by striking “and”; and

(2) by inserting after “2009” the following: “, and \$58,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2001(a)(2) of such Act (119 Stat. 1519) is amended—

(1) by striking “and”; and

(2) by inserting after “2009” the following: “, and \$26,375,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(c) OCCUPANT PROTECTION INCENTIVE GRANTS.—

(1) EXTENSION OF PROGRAM.—Section 405 of title 23, United States Code, is amended—

(A) in subsection (a)(3) by striking “6” and inserting “7”; and

(B) in subsection (a)(4)(C) by striking “in each of the fifth and sixth fiscal years beginning after September 30, 2003,” and inserting “in each subsequent fiscal year”.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(3) of such Act (119 Stat. 1519) is amended—

(A) by striking “and”; and

(B) by inserting after “2009” the following: “, and \$6,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(d) SAFETY BELT PERFORMANCE GRANTS.—

(1) EXTENSION OF PROGRAM.—Section 406(c)(1) of title 23, United States Code, is amended by striking “2009” and inserting “2010”.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(4) of such Act (119 Stat. 1519) is amended—

(A) by striking “and”; and

(B) by inserting after “2009” the following: “, and \$31,125,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(e) **STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.**—Section 2001(a)(5) of such Act (119 Stat. 1519) is amended—

(1) by striking “and”; and

(2) by inserting after “2009” the following: “, and \$8,625,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(f) **ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANT PROGRAM.**—

(1) **EXTENSION OF PROGRAM.**—Section 410 of title 23, United States Code, is amended—

(A) in subsection (a)(3)(C) by striking “in each of the fifth, sixth, seventh, and eighth fiscal years” and inserting “in each subsequent fiscal year”; and

(B) in subsection (b)(2)(C) by striking “and 2009” and inserting “, 2009, and 2010”.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—Section 2001(a)(6) of such Act (119 Stat. 1519) is amended—

(A) by striking “and”; and

(B) by inserting after “2009” the following: “, and \$34,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(g) **NATIONAL DRIVER REGISTER.**—Section 2001(a)(7) of such Act (119 Stat. 1520) is amended—

(1) by striking “and”; and

(2) by inserting after “2009” the following: “, and \$1,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(h) **HIGH VISIBILITY ENFORCEMENT PROGRAM.**—

(1) **EXTENSION OF PROGRAM.**—Section 2009(a) of such Act (23 U.S.C. 402 note; 119 Stat. 1535) is amended by striking “2009” and inserting “2010”.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—Section 2001(a)(8) of such Act (119 Stat. 1520) is amended—

(A) by striking “and”; and

(B) by inserting after “2009” the second place it appears the following: “, and \$7,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(i) **MOTORCYCLIST SAFETY.**—

(1) **EXTENSION OF PROGRAM.**—Section 2010(d)(1)(B) of such Act (23 U.S.C. 402 note; 119 Stat. 1536) is amended by striking “and fourth” and inserting “fourth, and fifth”.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—Section 2001(a)(9) of such Act (119 Stat. 1520) is amended—

(A) by striking “and”; and

(B) by inserting after “2009” the following: “, and \$1,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(j) **CHILD SAFETY AND CHILD BOOSTER SEAT SAFETY INCENTIVE GRANTS.**—

(1) **EXTENSION OF PROGRAM.**—Section 2011(c)(2) of such Act (23 U.S.C. 405 note; 119 Stat. 1538) is amended by striking “fourth fiscal year” and inserting “fourth and fifth fiscal years”.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—Section 2001(a)(10) of such Act (119 Stat. 1520) is amended—

(A) by striking “and”; and

(B) by inserting after “2009” the following: “, and \$1,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(k) **ADMINISTRATIVE EXPENSES.**—Section 2001(a)(11) of such Act (119 Stat. 1520) is amended—

(1) by striking “and” the last place it appears; and

(2) by inserting after “2009” the following: “, and \$4,625,000 for the period referred to in

section 1(b) of the Surface Transportation Extension Act of 2009”.

(l) **APPLICABILITY OF TITLE 23.**—Section 2001(c) of such Act (119 Stat. 1520) is amended by striking “2009” and inserting “2010”.

(m) **DRUG-IMPAIRED DRIVING ENFORCEMENT.**—Section 2013(f) of such Act (23 U.S.C. 403 note; 119 Stat. 1540) is amended to read as follows:

“(f) **FUNDING.**—Out of amounts made available to carry out section 403 of title 23, United States Code, the Secretary shall make available to carry out this section—

“(1) \$1,200,000 for each of fiscal years 2006 through 2009; and

“(2) \$300,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”.

(n) **OLDER DRIVER SAFETY; LAW ENFORCEMENT TRAINING.**—Section 2017 of such Act (23 U.S.C. 402 note; 119 Stat. 1541) is amended—

(1) in subsection (a)(1) by inserting after “2009” the following: “and \$425,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”; and

(2) in subsection (b)(2) by inserting after “2009” the following: “and \$500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

SEC. 6. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) **MOTOR CARRIER SAFETY GRANTS.**—Section 31104(a) of title 49, United States Code, is amended—

(1) by striking “and” at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting “; and”; and

(3) by adding at the end the following:

“(6) \$52,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(b) **ADMINISTRATIVE EXPENSES.**—Section 31104(i)(1) of title 49, United States Code, is amended—

(1) by striking “and” at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting “; and”; and

(3) by adding at the end the following:

“(F) \$58,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(c) **HIGH PRIORITY ACTIVITIES.**—Section 31104(k) of title 49, United States Code, is amended—

(1) in paragraph (2) by inserting after “2009” the following: “, and \$3,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”; and

(2) in paragraph (4) by inserting “or for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “fiscal year”.

(d) **GRANT PROGRAMS.**—Section 4101(c) of SAFETEA-LU (119 Stat. 1715) is amended—

(1) in paragraph (1) by striking the period at the end and inserting “and \$6,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”;

(2) in paragraph (2) by striking the period at the end and inserting “and \$8,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”;

(3) in paragraph (3) by striking the period at the end and inserting “and \$1,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”;

(4) in paragraph (4) by striking the period at the end and inserting “and \$6,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”; and

(5) in paragraph (5) by striking the period at the end and inserting “and \$750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”.

(e) **NEW ENTRANT AUDITS.**—Section 31144(g)(5)(B) of title 49, United States Code, is amended by inserting after “fiscal year” the following: “and, in the case of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, up to \$7,250,000”.

(f) **HIGH PRIORITY ACTIVITIES.**—Section 31313(b)(2) of such title is amended by inserting “or for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “fiscal year”.

(g) **COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM MODERNIZATION.**—Section 4123(d) of SAFETEA-LU (119 Stat. 1736) is amended—

(1) by striking “and” at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting “; and”; and

(3) by adding at the end the following:

“(5) \$2,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(h) **OUTREACH AND EDUCATION.**—Section 4127(e) of such Act (119 Stat. 1741) is amended by inserting after “2009” the following:

“(and, in the case of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, \$250,000 to the Federal Motor Carrier Safety Administration and \$750,000 to the National Highway Traffic Safety Administration)”.

(i) **GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.**—Section 4134(c) of such Act (119 Stat. 1744) is amended by inserting after “2009” the following: “and \$250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(j) **EXEMPTION DURING HARVEST PERIODS.**—Section 4146 of such Act (119 Stat. 1749) is amended by striking “at the end of fiscal year 2009” and inserting “on the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(k) **WORKING GROUP FOR DEVELOPMENT OF PRACTICES AND PROCEDURES TO ENHANCE FEDERAL-STATE RELATIONS.**—Section 4213(d) of such Act (119 Stat. 1759) is amended by striking “September 30, 2009” and inserting “the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(l) **OFFICE OF INTERMODALISM.**—Section 5503(i) of title 49, United States Code, is amended by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

SEC. 7. EXTENSION OF FEDERAL TRANSIT PROGRAMS.

(a) **ALLOCATION OF FUNDS.**—Section 5305(g) of title 49, United States Code, is amended by striking “2009” and inserting “2009 and the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(b) **SPECIAL RULE.**—Section 5307(b)(2) of such title is amended—

(1) in the paragraph heading by striking “2009” and inserting “2009 AND THE EXTENSION PERIOD”;

(2) in subparagraph (A) by striking “2009,” and inserting “2009 and the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”; and

(3) in subparagraph (E)—

(A) by striking the subparagraph heading and inserting “MAXIMUM AMOUNTS IN FISCAL YEARS 2008 AND 2009 AND THE EXTENSION PERIOD.—”; and

(B) by striking “2009” and inserting “2009 and the period referred to in section 1(b) of

the Surface Transportation Extension Act of 2009”.

(c) **ALLOCATING AMOUNTS.**—Section 5309(m) of such title is amended—

(1) in paragraph (2) by striking the matter preceding subparagraph (A), including the paragraph designator and heading, and inserting the following:

“(2) **FISCAL YEARS 2006 THROUGH 2009 AND THE EXTENSION PERIOD.**—The amounts made available or appropriated for fiscal years 2006 through 2009 and the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009 under sections 5338(b) and 5338(c) shall be allocated as follows:”;

(2) in paragraph (2)(A)(i) by striking “2009” and inserting “2009 and \$50,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”;

(3) in paragraph (6)(B) by striking “2009” and inserting “2009, and \$3,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”;

(4) in paragraph (6)(C) by striking “2009” and inserting “2009, and \$1,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”;

(5) in paragraph (7)(A)—

(A) by striking “2009” and inserting “2009, and \$2,500,000 shall be available for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”;

(B) by striking “each fiscal year” and inserting “each of fiscal years 2006 through 2009”;

(6) in paragraph (7)(B) by inserting after clause (iv) the following:

“(v) \$3,375,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”;

(7) in paragraph (7)(C) by inserting “and the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “fiscal year”;

(8) in paragraph (7)(D) by inserting “, and not less than \$8,750,000 shall be available for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,” after “fiscal year”;

(9) in paragraph (7)(E) by inserting “, and \$750,000 shall be available for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,” after “fiscal year”.

(d) **APPORTIONMENTS.**—Section 5311(c)(1) of such title is amended by inserting after subparagraph (D) the following:

“(E) \$3,750,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”.

(e) **APPORTIONMENT BASED ON FIXED GUIDEWAY FACTORS.**—Section 5337(a) of such title is amended by striking “2009” and inserting “2009 and the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009 (with $\frac{3}{2}$ of each of the dollar amounts listed in paragraphs (1) through (6) made available for the extension period)”.

(f) **FORMULA AND BUS GRANTS.**—Section 5338(b) of such title is amended—

(1) in paragraph (1)—

(A) by striking “and” at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting “; and”; and

(C) by adding at the end the following:

“(E) \$2,090,141,250 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”;

(2) in paragraph (2)(A)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$28,375,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(3) in paragraph (2)(B)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$1,040,091,250 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(4) in paragraph (2)(C)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$12,875,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(5) in paragraph (2)(D)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$416,625,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(6) in paragraph (2)(E)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$246,000,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(7) in paragraph (2)(F)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$33,375,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(8) in paragraph (2)(G)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$116,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(9) in paragraph (2)(H)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$41,125,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(10) in paragraph (2)(I)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$23,125,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(11) in paragraph (2)(J)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$6,725,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(12) in paragraph (2)(K)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$875,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(13) in paragraph (2)(L)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$6,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(14) in paragraph (2)(M)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$116,250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(15) in paragraph (2)(N)—

(A) by striking “and” after “2008.”; and

(B) by inserting “, and \$2,200,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”.

(g) **CAPITAL INVESTMENT GRANTS.**—Section 5338(c) of such title is amended—

(1) by striking “and” at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting “; and”; and

(3) by adding at the end the following:

“(5) \$452,312,500 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”.

(h) **RESEARCH AND UNIVERSITY RESEARCH CENTERS.**—Section 5338(d) of such title is amended—

(1) in the matter preceding subparagraph (A) of paragraph (1)—

(A) by striking “and” after “2008.”; and

(B) by inserting “and \$17,437,500 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,” after “2009.”;

(2) in paragraph (1)(A)—

(A) by striking “and” after “2008.”; and

(B) by inserting “and \$2,500,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009” after “2009”;

(3) in paragraph (1)(B)—

(A) by inserting “, and \$1,075,000 shall be allocated for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,” after “each fiscal year” the first place it appears; and

(B) by inserting “, and of which not more than \$250,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,” after “each fiscal year” the second place it appears;

(4) in paragraph (1)(C) by inserting “, and \$1,750,000 shall be allocated for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,” after “each fiscal year”;

(5) in paragraph (1)(D) by inserting “, and \$750,000 shall be allocated for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,” after “each fiscal year”; and

(6) in paragraph (1)(E) by inserting “, and \$250,000 shall be allocated for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009,” after “each fiscal year”.

(i) **ADMINISTRATION.**—Section 5338(e) of such title is amended—

(1) by striking “and” at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting “; and”; and

(3) by adding at the end the following:

“(5) \$24,625,000 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”.

(j) **EXTENSION OF SAFETEA-LU PROGRAMS.**—

(1) **CONTRACTED PARATRANSIT PILOT.**—Section 3009(i)(1) of SAFETEA-LU (119 Stat. 1572) is amended by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(2) **PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.**—Section 3011(c)(5) of SAFETEA-LU (49 U.S.C. 5309 note; 119 Stat. 1588) is amended by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(3) **RESTRICTIONS ON USE OF BUS CATEGORY FUNDS FOR FIXED GUIDEWAY PROJECTS.**—Section 3011(d) of SAFETEA-LU (49 U.S.C. 5309 note) is amended by inserting after “2009” the following: “and in the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(4) **ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES PILOT PROGRAM.**—Section 3012(b)(8) of SAFETEA-LU (49 U.S.C. 5310 note) is amended by striking “September 30, 2009” and inserting “the last day of the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(k) **OBLIGATION CEILING.**—Section 3040 of SAFETEA-LU (119 Stat. 1639) is amended—

(1) by striking “and” at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting “; and”; and

(3) by adding at the end the following:

“(6) \$2,584,516,250 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, of which not more than \$2,090,141,250 shall be from the Mass Transit Account.”.

(l) FINAL DESIGN AND CONSTRUCTION OF NEW FIXED GUIDEWAY CAPITAL PROJECTS.—Section 3043(b) of SAFETEA-LU (119 Stat. 1641) is amended in the matter preceding paragraph (1) by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(m) PRELIMINARY ENGINEERING OF NEW FIXED GUIDEWAY CAPITAL PROJECTS.—Section 3043(c) of SAFETEA-LU (119 Stat. 1642) is amended in the matter preceding paragraph (1) by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

(n) APPORTIONMENT PERIOD.—The Secretary of Transportation shall apportion funds under this section, including the amendments made by this section, not later than 21 days after the date of enactment of this Act.

(o) TREATMENT OF FUNDS.—Amounts made available under the amendments made by this section shall be treated for purposes of section 1101(b) of SAFETEA-LU (23 U.S.C. 101 note) as amounts made available for programs under title III of that Act.

SEC. 8. BOATING SAFETY EXTENSION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 3 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777b) is amended by inserting after “1984,” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009.”.

(b) DIVISION OF ANNUAL APPROPRIATIONS.—(1) IN GENERAL.—Section 4(a) of such Act (16 U.S.C. 777c(a)) is amended—

(A) by inserting after “2009” the following: “and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”; and

(B) by striking “annual”.

(2) ADMINISTRATIVE EXPENSES.—Section 4(b)(1)(A) of such Act (16 U.S.C. 777c(b)(1)(A)) is amended to read as follows:

“(A) SET-ASIDE FOR ADMINISTRATION.—From the annual appropriation made in accordance with section 3, for each of fiscal years 2006 through 2009 and for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, the Secretary of the Interior may use no more than the amount specified in subparagraph (B) or (C) for the fiscal year or period, as appropriate, for expenses for administration incurred in the implementation of this Act, in accordance with this section and section 9. The amount specified in subparagraph (B) or (C) for a fiscal year or period may not be included in the amount of the appropriation distributed under subsection (a) for the fiscal year or period.”.

(3) SET-ASIDE AMOUNT.—Section 4(b)(1) of such Act (16 U.S.C. 777c(b)(1)) is amended by adding at the end the following:

“(C) EXTENSION PERIOD.—The available amount referred to in subparagraph (A) for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009 is 25 percent of the available amount under subparagraph (B) for fiscal year 2009.”.

(4) APPORTIONMENT AMONG STATES.—The first sentence of section 4(c) of such Act (16 U.S.C. 777c(c)) is amended by striking “annual”.

(c) PUBLIC ACCESS TO WATERS.—Section 8(b) of such Act (16 U.S.C. 777g(b)) is amended—

(1) in paragraph (1)—

(A) in the first sentence by striking “for each fiscal year”; and

(B) in the second sentence by striking “in a fiscal year”; and

(2) in paragraph (2) by striking “annual”.

(d) PAYMENTS OF FUNDS TO AND COOPERATION WITH PUERTO RICO, THE DISTRICT OF COLUMBIA, GUAM, AMERICAN SAMOA, COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS, AND VIRGIN ISLANDS.—Section 12 of such Act (16 U.S.C. 777k) is amended by striking “annual”.

(e) MULTISTATE CONSERVATION GRANT PROGRAM.—

(1) AMOUNT FOR GRANTS.—Section 14(a)(1) of such Act (16 U.S.C. 777m(a)(1)) is amended to read as follows:

“(1) AMOUNT FOR GRANTS.—Not more than \$3,000,000 of each annual appropriation made in accordance with the provisions of section 3, and not more than \$750,000 of the appropriation made for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009 in accordance with the provisions of section 3, shall be distributed to the Secretary of the Interior for making multistate conservation project grants in accordance with this section.”.

(2) FUNDING FOR OTHER ACTIVITIES.—Section 14(e) of such Act (16 U.S.C. 777m(e)) is amended by adding at the end the following: “For the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, paragraph (1) shall be applied by substituting ‘\$50,000’ for ‘\$200,000’ and paragraph (2) shall be applied by substituting ‘\$100,000’ for ‘\$400,000’.”.

SEC. 9. LEVEL OF OBLIGATION LIMITATIONS.

(a) HIGHWAY CATEGORY.—Section 8003(a) of SAFETEA-LU (119 Stat. 1917) is amended—

(1) by striking “and” at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting “; and”; and

(3) by adding at the end the following:

“(6) for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, \$10,617,492,545.”.

(b) MASS TRANSIT CATEGORY.—Section 8003(b) of SAFETEA-LU (119 Stat. 1917) is amended—

(1) by striking “and” at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting “; and”; and

(3) by inserting after paragraph (5) the following:

“(6) for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009, \$2,584,516,250.”.

(c) TREATMENT OF FUNDS.—No adjustment pursuant to section 110 of title 23, United States Code, shall be made for fiscal year 2010.

SEC. 10. HAZARDOUS MATERIALS RESEARCH PROJECTS.

Section 7131(c) of SAFETEA-LU (119 Stat. 1910) is amended by inserting after “2009” the following: “and \$312,500 for the period referred to in section 1(b) of the Surface Transportation Extension Act of 2009”.

SEC. 11. EXTENSION AND EXPANSION OF EXPENDITURE AUTHORITY FROM TRUST FUNDS.

(a) HIGHWAY TRUST FUND.—

(1) HIGHWAY ACCOUNT.—Paragraph (1) of section 9503(c) of the Internal Revenue Code of 1986 is amended—

(A) by striking “September 30, 2009 (October 1, 2009)” and inserting “December 31, 2009 (January 1, 2010)”, and

(B) by striking “under” and all that follows and inserting “under the Surface Transportation Extension Act of 2009 or any other provision of law which was referred to in this paragraph before the date of the enactment of such Act (as such Act and provisions of law are in effect on the date of the enactment of such Act).”.

(2) MASS TRANSIT ACCOUNT.—Paragraph (3) of section 9503(e) of such Code is amended—

(A) by striking “October 1, 2009” and inserting “January 1, 2010”, and

(B) by striking “in accordance with” and all that follows and inserting “in accordance with the Surface Transportation Extension Act of 2009 or any other provision of law which was referred to in this paragraph before the date of the enactment of such Act (as such Act and provisions of law are in effect on the date of the enactment of such Act).”.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Subparagraph (B) of section 9503(b)(6) of such Code is amended by striking “September 30, 2009 (October 1, 2009)” and inserting “December 31, 2009 (January 1, 2010)”.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—

(1) IN GENERAL.—Paragraph (2) of section 9504(b) of such Code is amended—

(A) by striking “(as in effect” in subparagraph (A) and all that follows in such subparagraph and inserting “(as in effect on the date of the enactment of the Surface Transportation Extension Act of 2009).”.

(B) by striking “(as in effect” in subparagraph (B) and all that follows in such subparagraph and inserting “(as in effect on the date of the enactment of the Surface Transportation Extension Act of 2009), and”, and

(C) by striking “(as in effect” in subparagraph (C) and all that follows in such subparagraph and inserting “(as in effect on the date of the enactment of the Surface Transportation Extension Act of 2009).”.

(2) EXCEPTION TO LIMITATION ON TRANSFERS.—Paragraph (2) of section 9504(d) of such Code is amended by striking “October 1, 2009” and inserting “January 1, 2010”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on September 30, 2009.

The SPEAKER pro tempore (Mr. BLUMENAUER). Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Florida (Mr. MICA) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 3617, and to include extraneous material therein.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

We gather here, I guess I would say in my view, reluctantly to ask for a vote in support of extending the current surface transportation programs that are included in existing law, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to extend it for 3 months.

I expected that we would have put in place by now a 6-year extension of current law, a new transformational surface transportation program. But along the way, there has been a failure of political will in various quarters. Not on this committee, not on the Committee on Transportation and Infrastructure. We have done our work under the vigorous leadership of the gentleman from

Oregon (Mr. DEFAZIO), Chair of the Surface Transportation Subcommittee, in partnership with Mr. DUNCAN on the Republican side; and in the full committee Mr. MICA and I have worked together for the past 2½ years to craft a transformation of the Department of Transportation, of the Federal Highway Administration, of the Federal Transit Administration, of our safety programs into a coherent new vision and a new program with which to address the Nation's transportation needs, new partnerships with the States and with the cities and with the metropolitan planning organizations. And we've done that. We moved a bill out of subcommittee.

But along the way, there was a stumbling down the street from here at the White House that resulted in asking for an 18-month extension of current law, and then the other body fell in line with a request for an extension of 18 months.

That's not what we need in America. Eighteen months from now, we will be back here at the same place on the House floor decrying the lack of investment, decrying the falloff of funding, decrying the lack of investment in our transit systems while America chokes evermore in congestion; while rural America is not able to move its goods to market; while our traffic corridors for freight goods movement continue to move slowly; while businesses, enterprises like United Parcel Service spent \$100 million dollars a year for every 5-minute delay their trucks experience.

General Mills in Minnesota loses \$2 million for every mile an hour their trucks travel below the speed limit because they have to pay overtime charges and late delivery fees. That's not the kind of transportation we need in America to keep this economy moving, to keep our society mobile. We need a robust investment.

Two national transportation policy commissions have reviewed the current structure of law and the current financing of law and said this is not good enough; we need to invest vastly more than we are doing at all levels of government. And both recommended an investment level in the range of \$450 billion over 6 years. That's what our bill does.

But since we have not been able to reach an agreement to bring that bill to the floor within the timeframe that we envisioned, we are here to ask for a 3-month extension to carry all programs to ensure continuity of existing investment in our surface transportation needs.

That is what this bill will do: continue programs for 3 additional months, which will give us an opportunity to continue working out the issues of how we deliver services, we deliver transportation investments in a more efficient, effective way to lead America into this 21st century.

Mr. Speaker, I reserve the balance of my time.

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume.

First of all, I want to thank the Chair of the full T&I Committee and my Democrat counterpart on the committee, the leader, Mr. OBERSTAR, for his tireless efforts. He has been fighting unprecedented obstacles in trying to pass a 6-year extension of our most important transportation infrastructure legislation.

As you know, in just a few days our current legislation expires. In Congress we passed a 6-year authorization, and that's important so that States can plan and other entities can do long-term projects. As we have seen, the problem with the stimulus bill is we had some very narrow constraints on the time in which money could be spent. And because significant infrastructure projects take a long time to go through planning, process, approval, and the various red tape, we have seen that it's very difficult, in fact, almost impossible, even with the best efforts of Secretary LaHood and district secretaries throughout the Nation, transportation leaders throughout the Nation, to move that money out into projects and get people working.

□ 1615

That is why a 6-year bill is very important. I am kind of sad in a way that we have to come here for a 3-month extension. Now, I am not opposed to a 3-month extension; but on behalf of my leadership, what my leadership has requested is that this extension be brought to the floor not on a suspension, which is sort of a unanimous consent to proceed, but to have the legislation go through the Rules Committee and have the opportunity for our side of the aisle to express itself. And the only opportunity you get to do that is in a motion to recommit and through the regular order and process. That only requires a majority vote, and I am confident at that time many Members would vote on both sides of the aisle to proceed.

Everyone would like a long-term transportation bill. No one is happy that we are here at this 11th hour. The current legislation expires in just a few days, without a long-term bill to get people working, to get long-term approval.

So what we have here are several problems. First, we have a short-term proposal which many people have been opposed to.

I will take you back to the last time we did a 6-year bill. It took a year and a half, nearly 2 years to pass the next bill, so people were left in limbo for a long time. States can't plan. Projects can't move forward. Major infrastructure cannot be built nor approved when you don't know what the level of Federal participation will be.

There are some issues with this proposal to proceed for 3 months. Members on both sides of the aisle should be aware of them. First of all, we have an issue that some projects, and it has

been confirmed with the other side of the aisle today, some projects that are named in the past 6-year bill will not go over into this extension. So in one category of nontransit and transit, you have about a quarter of a billion, about a half a billion dollars in total will be transferred from the past legislation and directed toward specific projects to the discretion of the Secretary. So that does raise some ire, some questions, not just on the Republican side but on the other side, what is going to happen with this half a billion dollars.

The other issue that we don't address in this, and this is kind of sad because we do need to do this long term, is rescissions. Rescissions, unfortunately we made a decision when we passed the last bill when we got to this stage that we had to have money to support these projects. We don't have money to support these projects at the level we had previously agreed upon, so what takes place is an automatic rescission. Now, I wish this extension dealt with the rescission issue.

What is going to happen, even if we pass this, most of the Members of Congress, and listen carefully, you are going to get a call from your Secretary of Transportation. The Secretary of Transportation is going to tell you that the States will begin announcing rescissions. That means they are going to be cutting back projects because Congress hasn't done its work. A 3-month extension isn't going to do that. We really need a 6-month extension to stop the rescissions. I'm telling you, you are going to get those calls and that is a concern that is not addressed in this legislation.

So we do have some problems with this. All in all, I want to move the process forward. If the Republican side of the aisle, my side of the aisle decides to take down or not approve an extension today, it is not the final word. What they would like is the opportunity, and I present this on behalf of our leadership on this side of the aisle, is a fair chance to bring up an issue. It may only be one vote, one opportunity to submit to the House for hopeful improvement in this move to extend the expiring transportation authorization. It may be only one opportunity. They would like to do that through the regular order of coming out with a rule.

So that is the situation we find ourselves in. It is not a happy situation for me. It is not a happy situation for my colleague, Mr. OBERSTAR, but that is the reality of the legislative situation that presents itself this afternoon.

I have additional comments, but I will reserve the balance of my time at this time.

Mr. OBERSTAR. I yield myself 2 minutes.

In the consideration of the current law, SAFETEA in 2004 and 2005, there were 12 extensions of the previous TEA-21 Act. Five of those bills were considered under unanimous consent; unanimous consent with our concurrence on the Democratic side or else it

couldn't have passed by unanimous consent. Four were agreed to by voice vote. Three were passed by recorded vote. At least two of those were requested by the Republican majority. The first was 410-0, the second was 418-0, and the third recorded vote was 409-8. We didn't ask for a rule to take up the extension of current law. We partnered with the majority Republicans to keep existing law in place and keep working on the replacement bill, which came to be SAFETEA.

I don't understand the appeal now for a rule to take up—something I suggested when I learned from my good friend who had to be the messenger bearing bad news that the Republican leadership in the House said they would not support the bill under suspension. I said, well, we will take it up under a rule. Then I thought further about this and found there is a great deal of support on both sides of the aisle for a 3-month extension. Then I started thinking further, we didn't do that when we were in the minority. We had a partnership. We wanted to see good policy achieved.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. OBERSTAR. I yield myself an additional minute.

I say to the gentleman from Florida, who has been a straightforward partner, we have candidly talked through issues. Mr. DEFAZIO and Mr. DUNCAN have candidly discussed issues. Staffs have worked vigorously in crafting this transformational bill. There was no need for this disruption. We need an additional 3 months to continue working straightforward on the bill.

Now, there was a statement put out by the leader's office that the leader on the Republican side and the Republican National Committee chairman join with President Obama in supporting an 18-month extension of current law. That is the most unusual partnership I have ever seen. The Republican National Committee Chair and the Democratic President of the United States in a most unusual alliance. It is for the good of the country.

Mr. MICA. Mr. Speaker, I'm pleased to yield 3 minutes to one of the leaders on our side of the aisle, part of our leadership team, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Florida.

Mr. Speaker, I rise in opposition to this bill for several reasons. In my estimation, Mr. Speaker, I believe that this bill reflects a bit of gamesmanship within the discussion over the extension of a highway reauthorization bill.

I know that the gentleman from Minnesota has made very clear his desire to pass an increase in the gas tax to fund a multiyear reauthorization bill. Simultaneously, while the gentleman has expressed that desire, this administration, as well as the folks on the other side of this building in the Senate, have indicated that they do not want to support a tax increase at this

time and instead have advocated an 18-month extension of the highway bill.

It appears that the gentleman from Minnesota has, in response, come up with this bill which would give a 3-month extension seemingly to buy time to bring the parties together to the table to agree on a gas tax.

Now, Mr. Speaker, let's face it, the American people right now especially cannot afford an increase in the gas tax. Such a tax would hit the unemployed, would hit small businesses, would hit those least able to afford it the hardest.

In addition to that, Mr. Speaker, our States and our contractors who are there needing some certainty deserve better than just a 3-month extension. Mr. Speaker, we on our side of the aisle stand ready to work with the gentleman as well as with his leadership on a thoughtful approach to highway reauthorization. What we are asking for is a public rejection of increasing the gas tax. We say "no" to higher gas taxes.

Mr. OBERSTAR. Mr. Speaker, I yield myself 30 seconds.

I appreciate the remarks of the gentleman, the distinguished assistant minority leader. In my remarks to the Ways and Means Committee, I laid out seven or eight different options. All of those options are on the table. In our metropolitan mobility center provision of the bill, we engage a wide range of private sector financing mechanisms to support investment in surface transportation in the areas of critical need where the greatest congestion occurs. We welcome all of those ideas.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. OBERSTAR. I yield myself an additional 30 seconds.

As the gentleman from Florida knows very well, he has advanced ideas that we have engaged in and are continuing to engage in how to finance the long-term 6 years of the surface transportation. This is not a gas-tax-now-and-only proposal. We are not considering such in this 3-month extension, I say to the gentleman.

I would just like to quote a distinguished leader of this country: "So what we are proposing is to add the equivalent of 5 cents per gallon to the existing Federal highway user fee, the gas tax. That hasn't been increased for 23 years. The cost to the average motorist will be small. The benefit to our transportation system will be immense. The program will not increase the Federal deficit or add to the taxes you and I pay. It will be paid by those of us who use the system, and will cost the average car owner about \$30 a year, less than the cost of a couple of shock absorbers." That was Ronald Reagan in 1982. I applauded him for that statement. It was a great statement of leadership. We are asking for ideas for leadership on how to finance the future of transportation. Give us the time, give us the 3 months that we need to continue the dialogue. I invite the gen-

tleman from Virginia to participate in these discussions with us. I hope that he will.

I reserve the balance of my time.

Mr. MICA. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Tennessee (Mr. DUNCAN), the ranking member of the Highway Subcommittee of the Transportation and Infrastructure Committee.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

First of all, I want to say that I certainly agree with and support the comments that he made on this legislation a few moments ago. I find myself in the same position, and I certainly want to thank him for the great leadership he has given me in his position as the ranking member of the Transportation and Infrastructure Committee. I want to commend our great chairman, Chairman OBERSTAR, because all of us, Chairman OBERSTAR, Mr. MICA, myself, Chairman DEFAZIO of our subcommittee, we all would like to stop these extensions. Nobody wants a 3-month extension or any kind of extension. What we all want is to pass a major reauthorization bill.

I am in my 21st year in the Congress. I have been here for all of the major highway bills since I first was elected in 1988, and those bills have always passed with overwhelming margins and strong bipartisan support on both sides of the aisle, almost unanimous support.

□ 1630

Today, what you have, you have the Chamber of Commerce wanting a bill, you have the National Association of Manufacturers wanting a bill, you have the American Trucking Association wanting a bill, you have labor groups wanting a bill. I could give a whole long speech just naming all the different groups and people across this country that want a bill who say that we need it, especially with the economy in the situation it is in now.

So it is unfortunate that we have to talk about a 3-month extension or a 6-month extension. What we really need to be talking about is a strong, bipartisan highway reauthorization bill to help get this country moving once again and do all of the projects that have been getting backed up and are causing problems and delays all over this country.

Mr. OBERSTAR. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. DEFAZIO), Chair of the Subcommittee on Highways and Transit.

Mr. DEFAZIO. I thank the chairman.

The gentleman from Virginia can try and change the subject about some future possible increase in gas tax or user fees. That is not what is before us today.

Plain and simple, what is before us today is on October 1st, a very short time from now, will the States see a loss of \$4.5 billion in funding for highway, bridge and transit projects across this country? Our economy is teetering, and they want to play politics

with a simple extension of existing policy under the existing gas tax, which has been the same since 1993. That is not too much to ask. But they want to play politics with that. They want to jeopardize it. They want to delay it.

Now, let's just go to the delay. If they are totally successful, \$4.5 billion in spending goes away October 1. Hundreds of thousands of jobs are lost. Transportation projects across the country come to a halt; transit systems grind to a halt, because the Federal funds aren't there, even though we can finance all those things, without borrowing a penny, out of the existing gas tax. That would go away too.

Maybe that is the world they want to live in. I don't. Bridges falling down, transit systems that are unsafe to ride on, road surfaces that are unacceptable, growing congestion. That is not a vision for the future. But that apparently is their vision—the status quo or worse, because now they are talking about an 18-month extension.

If we do an 18-month extension, that will be 24 months or 30 months of the status quo, which is failing us. We aren't rebuilding the system; 160,000 bridges are weight limited, are functionally obsolete. People are sitting in congestion. Transit systems have \$60 billion backlogs in outdated equipment. But that is okay with the Republicans, apparently. They want the status quo, because they are so afraid of talking about any sort of remedy of any type and any sort of investment.

Then, if they aren't successful in killing the whole program, if they just delay this temporary extension, on October 1 the States will lose \$1 billion under the continuing resolution, \$1 billion, all across America. There is 20 percent unemployment in the construction trades, and they are going to increase that number because they want to walk away from the \$1 billion that would be there with the simple extension of this program for 3 months.

They can have the fight and the debate later when they want to play politics about the levels of investment in the bill and how we might get there. But that is 3 months from now or longer, depending upon what we can work out with the Senate.

But the point is, you are playing politics here. You want to have a vote on a gas tax that isn't before this body, that is not likely to be before this body at any time in the near future, at least for 3 months if this bill is passed.

Don't play politics with investment in our infrastructure. Don't play politics with the economy. Don't play politics with people's jobs. Don't bring America to a screeching halt on October 1 and walk away from your obligation to extend this program.

Mr. MICA. Might I inquire as to the amount of time on each side?

The SPEAKER pro tempore. The gentleman from Florida has 9½ minutes remaining and the gentleman from Minnesota has 7 minutes remaining.

Mr. MICA. I yield 3 minutes to the gentleman from Illinois (Mr. SCHOCK),

one of the rising stars on the Transportation and Infrastructure Committee.

Mr. SCHOCK. Thank you, Ranking Member MICA, for yielding the time.

I rise today to connect three dots for my colleagues: Yesterday's vote, today's vote, and a vote that this body took on February 13.

Yesterday, I joined with the majority of this body in voting to extend unemployment assistance for an additional 13 weeks for American citizens. I cast this vote because unemployment in my State of Illinois is now over 10.4 percent, the highest it has been in over two decades.

The transportation industry in this country has been hit even harder. In August of this year, unemployment within that industry climbed up over 16.5 percent. There were over 1 million fewer construction industry jobs this August than the prior August.

Now, we took a vote on February 13 that was supposed to have alleviated this need. The American Recovery and Reinvestment Act, known as the stimulus bill, was supposed to create or save 3.5 million jobs and hold the U.S. unemployment rate below 8 percent.

Ladies and gentlemen, it is clear to this body and also to the American people that the stimulus bill has not done its job. Then again, the stimulus has not had a chance to make improvements in the construction industry and its unemployment. In fact, only \$63 billion, or 7 percent of the stimulus, was dedicated to infrastructure. Interestingly, the rest of the stimulus is not being spent.

Without including the tax programs in the stimulus, only \$98 billion worth of the stimulus dollars have been spent and an additional \$140 billion is in the process of being spent, which means that \$343 billion of the stimulus remains to be spent. Which brings me to today's vote. We vote today to delay consideration of the highway bill. Why? We take this vote because no one in this body wants to talk about how to fund the highway bill. Doing so is too politically risky.

The problem, ladies and gentlemen, is that we need to find about another \$140 billion in revenue to compliment existing revenues in order to fund a \$450 billion highway bill, a level that most agree is reasonable. No one wants to talk about the gas tax increase that would be needed to raise such revenue.

But I would submit to you this: We voted on a stimulus bill under the guise of investing in infrastructure. We voted on a stimulus bill under the guise of putting people back to work. And yet today we are about to vote on a postponement of one of the biggest job-creating bills that we have before this body.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MICA. I yield the gentleman another 30 seconds.

Mr. SCHOCK. I would submit that it would be much wiser to spend the remaining \$343 billion, \$140 billion of that

on the shortfall in the Highway Trust Fund, and invest in America's infrastructure. There is nothing more expensive than deferred maintenance for this country, whether it is the bridge collapse in Minnesota, whether it is the bridge across the Illinois River in my hometown that has been downgraded from three to two lanes because of its instability.

We need to invest in America's infrastructure, and rather than push bills that fly in the face of the majority of Americans, a health care bill that has failed to receive the support of the majority of Americans, the majority of Americans support a highway bill. We need to vote on a full highway bill.

Mr. OBERSTAR. Mr. Speaker, I yield myself 15 seconds to point out to the gentleman from Illinois that we will in our next report next week, and I invite the gentleman to our committee hearing, the fourth in our series of oversight hearings, show 100,000 construction jobs.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. OBERSTAR. I yield myself another 15 seconds.

By November, we will have a quarter of a million construction jobs. I keep track of it in a record that I have week by week. And, yes, if we had transferred the \$140 billion from the rest of the stimulus, or if we had taken instead of a \$300 billion tax cut and put it into the highway program, we would have a lot of people working.

I yield 3 minutes to the distinguished gentleman from Ohio (Mr. LATOURETTE), a graduate of the Committee on Transportation and Infrastructure.

Mr. LATOURETTE. I thank the chairman for yielding.

This is my 15th year in the Congress, and I am constantly amazed at how both parties are able to snatch defeat from the jaws of victory.

When the new administration came into office in January, I was excited as a Republican when he and our former colleague, the Secretary of Transportation, said we don't want to deal with infrastructure for 18 months. We are going to kick this thing down the road until after the next election.

I thought, my, what a wonderful opportunity for the Republican Party to regain its leadership role in transportation. And when I say "historical," I talk about Abraham Lincoln and the Transcontinental Railway, about Dwight Eisenhower and the National Highway System. The chairman referenced President Ronald Reagan. George H.W. Bush signed the first comprehensive highway bill in 1991 called ISTEA.

We only ran into a problem during the reauthorization of what is now known as SAFETEA-LU, when, sadly, a Republican administration decided we only needed \$256 billion out of a Highway Trust Fund that had more than that to solve all of the problems in this country. So, as a result, we argued, we wrangled, and we finally compromised, but the bill was 2 years late.

And when it was 2 years late, we didn't deliver the money to the States to do the projects, and people couldn't have jobs.

Now, for my good friend the new Member from Illinois, I just want to set the table. This debate today, there are only a couple of games in town. One is the President has said he doesn't want to deal with this for 18 months. That will cause a loss of jobs. Our friends on the other side of the Capitol, they don't want to deal with it for 18 months.

My friends who object now to this 3-month extension, what they are objecting to is not a 3-month extension. As the chairman correctly pointed out, we do this like changing our socks around here. This is not a big deal. But by passing the 3-month extension, you would give the only person in town who believes, and I got a bet on him, I got 10 bucks bet on the chairman, that he can get a highway bill done in 3 months. And if you don't like taxes, you argue against it later. You fight about it later.

But all this says is the only guy that is willing to do a full 6-year bill and will figure it out to put people back to work and do infrastructure in this country, JIM OBERSTAR, the chairman of the committee, we are not going to let you do that. We are going to take the 18-month extension from the Senate and we are going to be done.

I am telling you, it is just wrong. It is just wrong. The chairman needs to have the ability to put this forward. And the Republican Party, despite some members of our leadership, needs to stand up and say, you know what? Republicans, unlike what my friend from Oregon said, Republicans believe in infrastructure. We helped build this country. And to turn our backs on that now to try and score some cheap political point, as the gentleman said, is outlandish.

You need to vote for this thing. Get over it, and let's do the extension.

Mr. MICA. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

The gentleman from Minnesota mentioned or decried the lack of bipartisanship here now. The problem with the highway bill has never been a lack of bipartisanship. The problem has been a lack of fiscal responsibility.

When we did SAFETEA-LU 5 years ago, or 4 years ago, it passed by a margin, I think there were only eight dissenting votes here in the House and only three in the Senate. Yet it was a bill that was far too big for the Highway Trust Fund. We didn't have sufficient money there.

The other gentleman from Oregon mentioned that we were able to fund out of the Highway Trust Fund without borrowing any money. If that is the case, why have we transferred twice this year \$8 billion in one tranche, \$7 billion in another tranche, money that

would backfill for the money we simply don't have in this legislation?

□ 1645

Let me point out another thing that is troubling here. In the bill there are extensions of certain projects and not of others. I'm glad that a lot of the projects, including most of the 6,300 earmarks that were in SAFETEA-LU, are now finished and completed, and we won't be extending those projects beyond. But there are exemptions here, projects that had a specific line item in the legislation:

Three-quarters of a million dollars for America's Byways Resource Center in Duluth, Minnesota.

More than \$11 million for the magnetic levitation train system in Nevada.

These are projects that will continue to receive funding because they have a line item in the bill.

Now there is an uncanny alignment, I think anyone would see, between some of these projects and those who are working on this legislation. So you can say what you want about earmarks or whatever else, but this is an example, if nothing else, of the spoils system alive and well.

We shouldn't extend for 3 months what we ought to take up now. If somebody says we need to increase taxes, that's a debate we ought to have, but we shouldn't continue to spend money that we don't have in the Highway Trust Fund because we will simply have to transfer it later.

Mr. OBERSTAR. How much time remains on each side?

The SPEAKER pro tempore. The gentleman from Minnesota has 3½ minutes remaining. The gentleman from Florida has 4 minutes remaining.

Mr. OBERSTAR. I yield 30 seconds to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Just to correct the gentleman, what I said is, we could continue the current levels in this bill over the next 3 months without borrowing any additional money. The funding is there. Yes, some money was transferred this summer to make up for past expenditures for emergencies and other things from the trust fund, but we would not be borrowing any money to extend this program for the next 3 months. It will be paid for, and it would put a heck of a lot of people to work. The bottom line is, do you vote "yes", extend this critical \$4.5 billion investment next month in our transportation infrastructure, keeping our transit systems running? Or do you vote "no" and bring it to a screeching halt?

Mr. MICA. Mr. Speaker, I yield myself 3½ minutes.

First of all, unfortunately we do have ourselves in an awkward situation here. Let me separate some fact from fiction. Some statements have been made both by the Democratic side of the aisle and the Republican side of the aisle that I would like to address.

First, no one wants to kill a highway bill, and no one is intent on killing the measure that's before us today to extend for 3 months. What I came here to ask on behalf of my leadership was that we, in fact, get the opportunity for regular order, that there be an opportunity for a bill to come through rules. Sometimes you get one motion to recommit or one motion to be heard on changing the substance of legislation or influencing or stating your opinion on that legislation. That's all my leadership asked for was a 1-day delay. We're not going to delay the extension of the bill because the current bill extends through the 30th.

Now let me tell you, I've tried to be as bipartisan as I can in this process and as the Republican leader of the largest committee in Congress, working with Mr. OBERSTAR, Mr. DEFAZIO, Mr. DUNCAN, all the principals in this, to move forward because it is important for jobs. It is important for our economy. It is important for the infrastructure that we know is crumbling. It's important for the future of this country to have sound infrastructure. This extension, whether it's passed today or tomorrow, doesn't make a difference. What my leadership has asked is that they be given that one opportunity to make a presentation.

There's no attempt to take down the bill. There is a request to have it come through regular order. We all want jobs. Again, it's just that request. Now I have deferred to the other side of the aisle. The other side of the aisle in the House has been abandoned so many times, I feel like an orphan sometimes trying to help the chairman of the full committee. I stood with him when the message was delivered to us that they were going to abandon our work for a 6-year bill, a 72-month bill. I stood with him when the Secretary of Transportation came and gave us the bad news and said that that's not the way to go.

I stood with them when the other body, the United States Senate, said, No, we're going to delay this process and only go 18 months. Now I think I owe it to my leadership, on behalf of the minority—and we are the minority—to try to get them the opportunity to have their word on this legislation since it does have significant impact on the future of transportation, our infrastructure, the country and our economy. I think that's the least we could do from our side of the aisle as a responsible minority. So it's not an attempt to take it down. It's an attempt to state a position.

I reserve the balance of my time.

Mr. OBERSTAR. How much time remains?

The SPEAKER pro tempore. The gentleman from Florida has 30 seconds remaining, and the gentleman from Minnesota has 3 minutes.

Mr. OBERSTAR. I will reserve the balance of my time to close on our side.

MOTION TO ADJOURN

Mr. SIMPSON. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SIMPSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 42, nays 355, not voting 35, as follows:

[Roll No. 730]

YEAS—42

Aderholt	Garrett (NJ)	Miller (MI)
Adler (NJ)	Gohmert	Olson
Akin	Hastings (WA)	Pastor (AZ)
Alexander	Heller	Pitts
Bartlett	Hensarling	Posey
Barton (TX)	Inglis	Price (GA)
Blackburn	Johnson (IL)	Rehberg
Broun (GA)	Johnson, Sam	Schwartz
Buyer	King (IA)	Sensenbrenner
Campbell	Lamborn	Shadegg
Carter	Lewis (CA)	Simpson
Chaffetz	McCarthy (CA)	Souder
Clay	McHenry	Thornberry
Foxx	Mica	Tiahrt

NAYS—355

Ackerman	Coble	Green, Gene
Altmire	Coffman (CO)	Griffith
Andrews	Cohen	Grijalva
Arcuri	Cole	Guthrie
Austria	Conaway	Gutierrez
Baca	Connolly (VA)	Hall (NY)
Bachmann	Conyers	Hall (TX)
Baird	Cooper	Halvorson
Baldwin	Costello	Hare
Barrow	Courtney	Harman
Becerra	Crenshaw	Harper
Berkley	Crowley	Hastings (FL)
Berman	Cuellar	Heinrich
Berry	Culberson	Heger
Biggert	Cummings	Herseth Sandlin
Bilbray	Dahlkemper	Higgins
Bilirakis	Davis (AL)	Hill
Bishop (GA)	Davis (CA)	Himes
Bishop (NY)	Davis (KY)	Hinchey
Blumenauer	Davis (TN)	Hinojosa
Blunt	Deal (GA)	Hirono
Boccieri	DeFazio	Hodes
Bonner	DeGette	Hoekstra
Bono Mack	DeLauro	Holden
Boozman	Dent	Holt
Boren	Diaz-Balart, L.	Honda
Boswell	Diaz-Balart, M.	Hoyer
Boucher	Dicks	Hunter
Boustany	Doggett	Inslee
Boyd	Donnelly (IN)	Israel
Brady (PA)	Dreier	Issa
Brady (TX)	Driehaus	Jackson (IL)
Braley (IA)	Duncan	Jackson-Lee
Bright	Edwards (MD)	(TX)
Brown (SC)	Ehlers	Jenkins
Brown, Corrine	Ellison	Johnson (GA)
Brown-Waite,	Ellsworth	Johnson, E. B.
Ginny	Emerson	Jones
Buchanan	Engel	Jordan (OH)
Burgess	Eshoo	Kagen
Burton (IN)	Fallin	Kanjorski
Butterfield	Farr	Kaptur
Calvert	Fattah	Kildee
Camp	Filner	Kilroy
Cantor	Flake	Kind
Cao	Fleming	King (NY)
Capito	Forbes	Kingston
Capps	Fortenberry	Kirkpatrick (AZ)
Cardoza	Foster	Kissell
Carnahan	Franks (AZ)	Klein (FL)
Carney	Frelinghuysen	Kline (MN)
Carson (IN)	Fudge	Kosmas
Cassidy	Galleghy	Kratovil
Castle	Gerlach	Kucinich
Castor (FL)	Gingrey (GA)	Lance
Chandler	Gonzalez	Langevin
Childers	Goodlatte	Larsen (WA)
Chu	Gordon (TN)	Larson (CT)
Clarke	Graves	Latham
Cleaver	Grayson	LaTourette
Clyburn	Green, Al	Latta

Lee (CA)	Nunes	Scott (VA)
Lee (NY)	Nye	Serrano
Levin	Oberstar	Sestak
Lewis (GA)	Obey	Shea-Porter
Linder	Olver	Sherman
Lipinski	Pallone	Shimkus
LoBiondo	Pascrell	Shuler
Loeb sack	Paul	Shuster
Lofgren, Zoe	Paulsen	Sires
Lucas	Payne	Skelton
Luetkemeyer	Pence	Smith (NE)
Lujan	Perlmutter	Smith (TX)
Lummis	Perriello	Smith (WA)
Lungren, Daniel	Peters	Snyder
E.	Peterson	Space
Lynch	Petri	Spratt
Mack	Pingree (ME)	Stearns
Maffei	Platts	Stupak
Maloney	Poe (TX)	Sullivan
Manzullo	Polis (CO)	Sutton
Markey (CO)	Pomeroy	Tanner
Markey (MA)	Price (NC)	Taylor
Massa	Putnam	Teague
Matheson	Quigley	Terry
Matsui	Radanovich	Thompson (CA)
McCarthy (NY)	Rahall	Thompson (MS)
McCauley	Rangel	Thompson (PA)
McClintock	Reichert	Tiberi
McCollum	Reyes	Tierney
McCotter	Richardson	Titus
McDermott	Rodriguez	Tonko
McGovern	Roe (TN)	Towns
McIntyre	Rogers (AL)	Tsongas
McKeon	Rogers (KY)	Turner
McMahon	Rogers (MI)	Upton
McNerney	Rohrabacher	Van Hollen
Meek (FL)	Rooney	Velázquez
Melancon	Ros-Lehtinen	Visclosky
Michaud	Ross	Walden
Miller (FL)	Rothman (NJ)	Walz
Miller (NC)	Roybal-Allard	Wamp
Miller, Gary	Royce	Wasserman
Miller, George	Ruppersberger	Schultz
Minnick	Rush	Watson
Mitchell	Ryan (OH)	Watt
Mollohan	Ryan (WI)	Waxman
Moore (KS)	Salazar	Weiner
Moore (WI)	Sánchez, Linda	Welch
Moran (VA)	T.	Westmoreland
Murphy (CT)	Sanchez, Loretta	Wexler
Murphy (NY)	Sarbanes	Whitfield
Murphy, Patrick	Scalise	Wilson (OH)
Murphy, Tim	Schakowsky	Wilson (SC)
Murtha	Schauer	Wittman
Myrick	Schiff	Wolf
Nadler (NY)	Schmidt	Woolsey
Napolitano	Schock	Wu
Neal (MA)	Schrader	Yarmuth
Neugebauer	Scott (GA)	Young (FL)

NOT VOTING—35

Abercrombie	Etheridge	Moran (KS)
Bachus	Frank (MA)	Ortiz
Barrett (SC)	Giffords	Roskam
Bean	Granger	Sessions
Bishop (UT)	Kennedy	Slaughter
Boehner	Kilpatrick (MI)	Smith (NJ)
Capuano	Kirk	Speier
Costa	Lowey	Stark
Davis (IL)	Marchant	Waters
Delahunt	Marshall	Young (AK)
Dingell	McMorris	
Doyle	Rodgers	
Edwards (TX)	Meeks (NY)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1715

Mr. MITCHELL, Ms. VELÁZQUEZ, Messrs. SCHRADER, BRIGHT, DUNCAN, GINGREY of Georgia, Ms. MARKEY of Colorado and Mr. ELLSWORTH changed their vote from “yea” to “nay.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 730, had I been present, I would have voted “nay.”

SURFACE TRANSPORTATION
EXTENSION ACT OF 2009

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Speaker, might I inquire, before I begin, as to the amount of time that I have remaining and the amount of time the gentleman from Minnesota has remaining.

The SPEAKER pro tempore. The gentleman from Florida has 30 seconds remaining and the gentleman from Minnesota has 3 minutes.

Mr. MICA. Mr. Speaker, again, the situation we find ourselves in, in just a few minutes here, will be to vote whether or not to proceed with a 3-month extension on the highway bill.

Mr. Speaker, as I said earlier, my side of the aisle and my leadership is asking not to kill a 3-month extension. We are very much in favor of a highway bill. What they are asking for is an opportunity to be heard, for this bill to go through regular order through the Rules Committee and have one opportunity, at least one opportunity, for the minority to be heard on this important piece of legislation.

I yield back the balance of my time.

Mr. OBERSTAR. I yield myself the balance of my time.

As a matter of historical record, it was I who suggested, when I heard from my distinguished Republican leader on the committee that the leaders of the Republican Conference had decided to oppose the suspension, that we would then, instead, ask for a rule to consider the bill. But on further consideration, I decided that there are so many Members on both sides who really wanted to vote on this bill that the time is now.

I just want to point out that in the consideration of the current law, surface transportation law, beginning in 2003, there were 12 extensions: five were considered under unanimous consent, with my support; seven bills were considered under suspension of the rules, all of which I cosponsored; four were agreed to by voice vote; three were passed by recorded vote. The first, ironically, was September 30, 2003, 6 years ago, for a 5-month extension. I supported that. It was a voice vote. We didn't ask for a bill to be brought up under a rule. We didn't ask for a recorded vote. We just, as a matter of comity and participation and in the best interests of the country and in the best interests of transportation, supported an extension for 5 months, and on through 12 of them, the last being the extension into September of 2004.

Why, now, all of a sudden, after our side had time and again supported extensions that, let me just go here, the last was July 30, 2005. I correct myself. I supported it. This is in the best public interest, I said, to give the Congress time, the House and Senate conference committees, to finish a bill.

Now, there are a number of organizations that support the short-term extension—the American Trucking Association, the American Automobile Association, the National Association of

Manufacturers, the U.S. Chamber of Commerce—urging the Congress to enact a multiyear surface transportation authorization bill as soon as possible. The Transportation Construction Coalition, 28 national construction trade associations and construction trade unions.

The proposed 3-month extension is far preferable to the 18 months. A whole host of groups say do the right thing. I ask this body to do the right thing today.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 3617, the "Surface Transportation Extension Act". I would like to thank my colleague Representative JAMES OBERSTAR for introducing this legislation, as well as the co-sponsors.

I stand in support of this important legislation because of the importance transportation has for my state of Texas, and my home city of Houston.

As a body we must be judicious in appropriating funds for transportation because it is of such vital interest to our Nation. Investments in our Nation's surface transportation infrastructure create millions of family-wage jobs and billions of dollars of economic activity. Each \$1 billion of Federal funds creates 47,500 jobs and \$6.1 billion in economic activity. In addition, this investment in transportation infrastructure will increase business productivity by reducing the costs of producing goods in virtually all industrial sectors of the economy. Increased productivity results in increased demand for labor, capital, and raw materials and generally leads to lower product prices and increased sales.

Because so much is literally riding on a transportation agreement for the 21st Century we must insist on a balanced surface transportation program that serves the mobility needs of our country in a manner consistent with key Democratic principles, including: economic growth, intermodalism, security, safety, continuity, equal opportunity, protecting our human and natural environment, rebuilding our transit and highway systems, encouraging alternative transportation, encouraging smart growth, encouraging advanced technology solutions, and protecting the rights of workers in transportation industries. While I am satisfied with this current extension I look forward to the day when we can pass a comprehensive and equitable transportation agreement that serves the 21st Century transportation needs of the American people.

Mr. BLUMENAUER. Mr. Speaker, while we understand the need to extend our transportation programs while the other body deals with health care and climate change legislation, we must stand firm about passing a new authorization of our transportation programs in the next 6 months.

Investing in America's infrastructure is the surest way to put Americans back to work. We can't afford to miss another construction cycle. Nor should we fall into a short term extension "trap". Even worse would be to punt until the next Congress the reauthorization of the Surface Transportation Act.

Throughout America, our infrastructure is falling apart. Communities large and small—urban and rural—are suffering from deteriorating roads and bridges, aging water and sewer pipes, and an inadequate electrical grid.

It is so bad that the American Society of Civil Engineers has given our nation's infra-

structure an overall grade of "D". They say that we need \$2.2 trillion to repair highway, transit and water projects after years of neglect.

If it were not for the economic recovery package, we would be spending less than at any time in recent history and far less than our international competitors on this critical component of our nation's strength.

Real highway spending per mile traveled has fallen by 50 percent since the Highway Trust Fund was established.

Total combined highway and transit spending as a share of gross domestic product has fallen by 25 percent during that period, to 1.5 percent of GDP today.

By not adjusting the tax rate for inflation, the gas tax has lost 33 percent of its purchasing power since 1993.

Over this time, we have failed to pursue the type of innovation necessary to ensure that our infrastructure meets the needs of future generations.

While America must and will spend more on infrastructure, it is critical to have the vision for what we are buying. More important, we must change the value proposition to get more from each dollar invested. The House has that vision and leadership. Let's take the next 6 months to write it into law.

Mr. OBERSTAR. Mr. Speaker, I rise to correct statements that were made by the gentleman from Arizona in the course of this debate, in which he gave inaccurate information about the magnetic levitation deployment program and the America's Byways Resource Center.

SAFETEA-LU established a program to fund the deployment of magnetic levitation transportation projects. SAFETEA-LU provided \$45 million for the MAGLEV program in FY09, under the policy agreements made in the course of negotiations on that legislation.

This is an extension of a current law program, and is consistent with the approach taken throughout the Surface Transportation Extension Act. No Member requested the inclusion of this language.

The America's Byways Resource Center was originally authorized and funded under TEA-21. Byway leaders, local groups, volunteers, organizations and the State coordinators responsible for the planning and marketing involved with nationally designated byways depend on the center for the training, information and expertise paving the way to better byways.

The Federal Highway Administration leads and manages the National Scenic Byways Program as a community-based program and works in coordination with the center to ensure the continued commitment to the success of America's Byways.

Policy changes can and will be considered in the course of a long-term authorization, but are not appropriate in a short-term extension. H.R. 3617 extends the policies and agreements made under SAFETEA-LU, and continuation of these programs is consistent with this approach.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 3617.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 335, nays 85, not voting 12, as follows:

[Roll No. 731]

YEAS—335

Abercrombie	Edwards (TX)	Lewis (GA)
Ackerman	Ehlers	Lipinski
Adler (NJ)	Ellison	LoBiondo
Alexander	Ellsworth	Loeb sack
Altmire	Emerson	Lofgren, Zoe
Andrews	Engel	Lowey
Arcuri	Eshoo	Luetkemeyer
Austria	Etheridge	Lujan
Baca	Fallin	Lungren, Daniel
Baird	Farr	E.
Baldwin	Fattah	Lynch
Barrow	Filner	Maffei
Barton (TX)	Fleming	Maloney
Bean	Forbes	Manzullo
Becerra	Fortenberry	Marchant
Berkley	Foster	Markey (CO)
Berman	Frank (MA)	Markey (MA)
Berry	Frelinghuysen	Massa
Biggert	Fudge	Matheson
Blibray	Galleghy	Matsui
Bilirakis	Gerlach	McCarthy (NY)
Bishop (GA)	Giffords	McCaul
Bishop (NY)	Gohmert	McCollum
Blumenauer	Gonzalez	McCotter
Bocchieri	Gordon (TN)	McDermott
Bonner	Graves	McGovern
Bono Mack	Grayson	McIntyre
Boozman	Green, Al	McKeon
Boren	Green, Gene	McMahon
Boswell	Griffith	McNerney
Boucher	Grijalva	Meek (FL)
Boyd	Guthrie	Meeks (NY)
Brady (PA)	Gutierrez	Melancon
Braley (IA)	Hall (NY)	Michaud
Bright	Hall (TX)	Miller (MI)
Brown (SC)	Halvorson	Miller (NC)
Brown, Corrine	Hare	Miller, Gary
Brown-Waite,	Harman	Miller, George
Ginny	Hastings (FL)	Minnick
Burton (IN)	Heinrich	Mitchell
Butterfield	Herseth Sandlin	Molohan
Calvert	Higgins	Moore (KS)
Camp	Hill	Moore (WI)
Cao	Himes	Moran (KS)
Capito	Hinchey	Moran (VA)
Capps	Hinojosa	Murphy (CT)
Cardoza	Hirono	Murphy (NY)
Carnahan	Hodes	Murphy, Patrick
Carney	Holden	Murphy, Tim
Carson (IN)	Holt	Murtha
Cassidy	Honda	Nadler (NY)
Castle	Hoyer	Napolitano
Castor (FL)	Hunter	Neal (MA)
Chandler	Inslee	Nunes
Childers	Israel	Nye
Chu	Jackson (IL)	Oberstar
Clarke	Jackson-Lee	Obey
Clay	(TX)	Oliver
Cleaver	Jenkins	Ortiz
Clyburn	Johnson (GA)	Pallone
Cohen	Johnson (IL)	Pascarell
Connolly (VA)	Johnson, E. B.	Pastor (AZ)
Conyers	Jones	Paulsen
Cooper	Kagen	Payne
Costa	Kanjorski	Perlmutter
Costello	Kaptur	Perriello
Courtney	Kennedy	Peters
Crowley	Kildee	Peterson
Cuellar	Kilpatrick (MI)	Petri
Culberson	Kilroy	Pingree (ME)
Cummings	Kind	Platts
Dahlkemper	King (NY)	Poe (TX)
Davis (AL)	Kirk	Polis (CO)
Davis (CA)	Kirkpatrick (AZ)	Pomeroy
Davis (IL)	Kissell	Price (NC)
Davis (TN)	Klein (FL)	Putnam
DeFazio	Kosmas	Quigley
DeGette	Kratovich	Rahall
DeLauro	Kucinich	Rangel
Dent	Lance	Rehberg
Diaz-Balart, L.	Langevin	Reichert
Diaz-Balart, M.	Larsen (WA)	Reyes
Dicks	Larson (CT)	Richardson
Dingell	Latham	Rodriguez
Doggett	LaTourette	Rogers (AL)
Donnelly (IN)	Lee (CA)	Rogers (KY)
Driehaus	Lee (NY)	Ros-Lehtinen
Edwards (MD)	Levin	Ross

Rothman (NJ)
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Salazar
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schauer
 Schiff
 Schmidt
 Schock
 Schrader
 Schwartz
 Scott (GA)
 Scott (VA)
 Serrano
 Sestak
 Shea-Porter
 Sherman
 Shimkus
 Shuler
 Shuster

NAYS—85

Aderholt
 Akin
 Bachmann
 Bachus
 Bartlett
 Blackburn
 Blunt
 Boehner
 Boustany
 Brady (TX)
 Broun (GA)
 Buchanan
 Burgess
 Buyer
 Campbell
 Cantor
 Carter
 Chaffetz
 Coble
 Coffman (CO)
 Cole
 Conaway
 Crenshaw
 Davis (KY)
 Dreier
 Duncan
 Flake
 Foxx
 Franks (AZ)

NOT VOTING—12

Barrett (SC)
 Bishop (UT)
 Capuano
 Deal (GA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1745

Mr. BARTLETT changed his vote from “yea” to “nay.”

Mrs. McMORRIS RODGERS, Messrs. COHEN, GUTHRIE, FLEMING, STEARNS, BURTON of Indiana, LUETKEMEYER, BOOZMAN, and BONNER changed their vote from “nay to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO ADJOURN

Mr. KINGSTON. Mr. Speaker, I move that the House do now adjourn. * * *

The SPEAKER pro tempore. The motion is not debatable.

Does the gentleman have a motion?
 Mr. KINGSTON. I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. KINGSTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 50, noes 349, not voting 33, as follows:

[Roll No. 732]

AYES—50

Aderholt
 Akin
 Bartlett
 Barton (TX)
 Broun (GA)
 Buyer
 Campbell
 Carter
 Chaffetz
 Clay
 Coffman (CO)
 Flake
 Garrett (NJ)
 Gingrey (GA)
 Gohmert
 Harper
 Hastings (WA)
 Heller

NOES—349

Abercrombie
 Ackerman
 Adler (NJ)
 Alexander
 Altmire
 Andrews
 Arcuri
 Austria
 Baca
 Bachmann
 Bachus
 Baird
 Baldwin
 Barrow
 Becerra
 Berkley
 Berman
 Berry
 Biggert
 Bilbray
 Bilirakis
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Blunt
 Boccieri
 Bonner
 Bono Mack
 Boozman
 Boren
 Boswell
 Boustany
 Brady (PA)
 Brady (TX)
 Braley (IA)
 Bright
 Brown (SC)
 Brown, Corrine
 Brown-Waite,
 Ginny
 Buchanan
 Burgess
 Burton (IN)
 Butterfield
 Calvert
 Camp
 Cantor
 Cao
 Capito
 Capps
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Cassidy
 Castle

Kilroy
 Kind
 King (NY)
 Kirk
 Kirkpatrick (AZ)
 Kissell
 Klein (FL)
 Kline (MN)
 Kosmas
 Kratovil
 Kucinich
 Lance
 Langevin
 Larsen (WA)
 Latham
 Latta
 Lee (CA)
 Lee (NY)
 Levin
 Lipinski
 LoBiondo
 Loebsack
 Lofgren, Zoe
 Lowey
 Lucas
 Luetkemeyer
 Luján
 Lynch
 Mack
 Maffei
 Maloney
 Manzullo
 Marchant
 Markey (CO)
 Markey (MA)
 Marshall
 Massa
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McClintock
 McCollum
 McCotter
 McDermott
 McGovern
 McIntyre
 McKeon
 McMahon
 McMorris
 Rodgers
 McNeerney
 Meeks (NY)
 Melancon
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Minnick
 Mitchell
 Mollohan

NOT VOTING—33

Barrett (SC)
 Bean
 Bishop (UT)
 Blackburn
 Boehner
 Boucher
 Boyd
 Capuano
 Delahunt
 Doyle
 Granger

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (Ms. BALDWIN) (during the vote). Members are advised 2 minutes remain in the vote.

□ 1806

Ms. CORRINE BROWN of Florida and Ms. HARMAN changed their vote from “aye” to “no.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. LARSON of Connecticut. Madam Speaker, on rollcall No. 732, Kingston Motion to Adjourn, had I been present, I would have voted “no.”

Mr. MURPHY of New York. Madam Speaker, on rollcall No. 732, the Motion to Adjourn, had I been present, I would have voted “no.”

MOTION TO GO TO CONFERENCE ON H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

Ms. WASSERMAN SCHULTZ. Madam Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 2918) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The gentlewoman from Florida is recognized for 1 hour.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I move the previous question on the motion.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ADERHOLT. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the motion.

The vote was taken by electronic device, and there were—ayes 240, noes 171, not voting 21, as follows:

[Roll No. 733]

AYES—240

Abercrombie	Chu	Fattah
Ackerman	Clarke	Filner
Adler (NJ)	Clay	Foster
Altire	Cleaver	Frank (MA)
Andrews	Clyburn	Fudge
Arcuri	Cohen	Giffords
Baca	Connolly (VA)	Gonzalez
Baird	Conyers	Gordon (TN)
Baldwin	Cooper	Grayson
Barrow	Costa	Green, Al
Bean	Costello	Green, Gene
Becerra	Courtney	Griffith
Berkley	Crowley	Grijalva
Berman	Cuellar	Gutierrez
Berry	Cummings	Hall (NY)
Bishop (GA)	Dahlkemper	Halvorson
Bishop (NY)	Davis (AL)	Hare
Blumenauer	Davis (CA)	Harman
Boccheri	Davis (IL)	Hastings (FL)
Boren	Davis (TN)	Heinrich
Boswell	DeFazio	Herseth Sandlin
Boucher	DeGette	Higgins
Brady (PA)	DeLauro	Hill
Braley (IA)	Dicks	Himes
Bright	Dingell	Hinche
Brown, Corrine	Doggett	Hinojosa
Butterfield	Donnelly (IN)	Hirono
Cao	Driehaus	Hodes
Capps	Edwards (MD)	Holden
Cardoza	Edwards (TX)	Holt
Carnahan	Ellison	Hoyer
Carney	Ellsworth	Inslee
Carson (IN)	Engel	Israel
Castor (FL)	Eshoo	Jackson (IL)
Chandler	Etheridge	Jackson-Lee
Childers	Farr	(TX)

Johnson (GA)	Miller (NC)	Schakowsky
Johnson, E. B.	Mollohan	Schauer
Kagen	Moore (KS)	Schiff
Kanjorski	Moore (WI)	Schrader
Kaptur	Moran (VA)	Schwartz
Kennedy	Murphy (CT)	Scott (GA)
Kildee	Murphy (NY)	Scott (VA)
Kilpatrick (MI)	Murphy, Patrick	Serrano
Kilroy	Murtha	Shea-Porter
Kind	Nadler (NY)	Sherman
Kirkpatrick (AZ)	Napolitano	Shuler
Kissell	Neal (MA)	Sires
Klein (FL)	Nye	Slaughter
Kosmas	Oberstar	Smith (WA)
Kratovil	Obey	Snyder
Kucinich	Oliver	Space
Langevin	Ortiz	Spratt
Larsen (WA)	Pallone	Stupak
Larsen (CT)	Pascarell	Sutton
Lee (CA)	Pastor (AZ)	Tanner
Levin	Payne	Taylor
Lewis (GA)	Perlmutter	Teague
Lipinski	Perriello	Thompson (CA)
Loebach	Peters	Thompson (MS)
Lofgren, Zoe	Peterson	Tierney
Lowey	Pingree (ME)	Titus
Lujan	Polis (CO)	Tonko
Lynch	Pomeroy	Towns
Maffei	Price (NC)	Tsongas
Maloney	Quigley	Van Hollen
Markey (CO)	Rahall	Velázquez
Markey (MA)	Rangel	Visclosky
Marshall	Reyes	Walz
Massa	Rodriguez	Wasserman
Matheson	Ross	Schultz
Matsui	Rothman (NJ)	Waters
McCarthy (NY)	Roybal-Allard	Watson
McCollum	Ruppersberger	Watt
McDermott	Rush	Weiner
McIntyre	Ryan (OH)	Welch
McMahon	Salazar	Wexler
Meek (FL)	Sánchez, Linda	Wilson (OH)
Meeks (NY)	T.	Woolsey
Melancon	Sanchez, Loretta	Wu
Michaud	Sarbanes	Yarmuth

NOES—171

Aderholt	Fleming	McClintock
Akin	Forbes	McCotter
Alexander	Fortenberry	McHenry
Austria	Fox	McKeon
Bachmann	Franks (AZ)	McMorris
Bachus	Frelinghuysen	Rodgers
Bartlett	Gallagher	Mica
Barton (TX)	Garrett (NJ)	Miller (FL)
Biggart	Gerlach	Miller (MI)
Bilbray	Gingrey (GA)	Miller, Gary
Bilirakis	Gohmert	Minnick
Blackburn	Goodlatte	Mitchell
Blunt	Graves	Moran (KS)
Bonner	Guthrie	Myrick
Bono Mack	Hall (TX)	Neugebauer
Boozman	Harper	Nunes
Boustany	Hastings (WA)	Olson
Brady (TX)	Heller	Paul
Broun (GA)	Hensarling	Paulsen
Brown (SC)	Herger	Pence
Brown-Waite,	Hoekstra	Petri
Ginny	Hunter	Pitts
Buchanan	Inglis	Platts
Burgess	Issa	Poe (TX)
Burton (IN)	Jenkins	Posey
Buyer	Johnson (IL)	Price (GA)
Calvert	Johnson, Sam	Putnam
Camp	Jones	Radanovich
Campbell	Jordan (OH)	Rehberg
Cantor	King (IA)	Reichert
Capito	King (NY)	Roe (TN)
Carter	Kingston	Rogers (AL)
Cassidy	Kirk	Rogers (KY)
Castle	Kline (MN)	Rogers (MI)
Chaffetz	Lamborn	Rohrabacher
Coble	Lance	Rooney
Coffman (CO)	Latham	Ros-Lehtinen
Cole	LaTourette	Roskam
Conaway	Latta	Royce
Crenshaw	Lee (NY)	Ryan (WI)
Culberson	Lewis (CA)	Scalise
Davis (KY)	Linder	Schmidt
Deal (GA)	LoBiondo	Schock
Dent	Lucas	Sensenbrenner
Diaz-Balart, L.	Luetkemeyer	Sessions
Diaz-Balart, M.	Lummis	Shadegg
Dreier	Lungren, Daniel	Shimkus
E.		Shuster
Manzullo		Simpson
Marchant		Smith (NE)
McCarthy (CA)		Smith (TX)
McCaul		Souder

Stearns	Tiberi	Whitfield
Sullivan	Turner	Wilson (SC)
Terry	Upton	Wittman
Thompson (PA)	Walden	Wolf
Thornberry	Wamp	Young (AK)
Tiahrt	Westmoreland	Young (FL)

NOT VOTING—21

Barrett (SC)	Granger	Richardson
Bishop (UT)	Honda	Sestak
Boehner	Mack	Skelton
Boyd	McGovern	Smith (NJ)
Capuano	McNerney	Speier
Delahunt	Miller, George	Stark
Doyle	Murphy, Tim	Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1831

Ms. ROS-LEHTINEN changed her vote from “aye” to “no.”

Messrs. HALL of New York and SCOTT of Virginia changed their vote from “no” to “aye.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the motion.

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

Mr. ADERHOLT. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Aderholt moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2918 be instructed as follows:

1. To insist on the provisions contained in section 209 of the House bill.

2. To disagree to any proposition in violation of clause 9 of Rule XXII which:

(a) Includes any additional funding or language not committed to the conference;

(b) Includes matter not committed to the conference committee by either House;

(c) Modifies specific matter committed to conference by either or both Houses beyond the scope of the specific matter as committed to the conference committee.

3. To not record their approval of the final conference agreement (within the meaning of clause 12(a)(4) of House rule XXII) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 48 hours prior to the time described in such clause.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Alabama (Mr. ADERHOLT) and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) each will control 30 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. ADERHOLT. Madam Speaker, I yield myself such time as I may consume.

I would like to focus attention upon a couple of important issues related to

both the bill itself and on the majority's last-minute attempts to use this bill as a vehicle for a month-long continuing resolution.

Madam Speaker, we all know the fiscal year expires on September 30, which is a week from today. Because the House and Senate have yet to complete our annual appropriations work, we must pass a continuing resolution—which, of course, we call a CR—to keep the government operating in the interim time. If we do not pass a CR, or a continuing resolution, our Nation will face a potentially devastating government-wide shutdown.

Now I think we all can agree that shutting down the government, even in the worst-case scenario, is not the preferred option. However, by attaching the CR to this Legislative Branch appropriation bill, the majority is forcing Members to choose between voting for our own office budgets or voting for a government shutdown. The majority is also using this parliamentary gimmick to avoid certain debate or votes on the floor that would occur under the normal CR process. This, Madam Speaker, is simply not the reasonable or responsible kind of governing that our constituents have sent us here to Washington to do.

In addition, the Leg Branch bill is the first of five appropriation bills by both the House and Senate to begin the conference committee work process. As the ranking member of the Leg Branch Subcommittee, I feel this bill is very important. But moving this bill forward, even above homeland security funding, is not the proper way to put a priority on meeting the critical needs facing the American people at this time.

I'm sure my Republican colleagues will have more to say on that issue as we move forward in the process. That being said, the motion that I bring forward today would prevent any extraneous provisions, including a CR, from being attached to the Legislative Branch appropriation bill and would require 48-hour viewing before a floor vote occurs.

Also, Madam Speaker, there is another issue that I do think needs to be dealt with as our subcommittee goes to conference. This is the issue of staff-led tours in the Capitol. Since the opening of the Capitol Visitor Center, many Members have expressed concern over the handling of how House staff-led tours are conducted at this time. To address this concern, we have included in the House-passed bill section 209, which prohibits the elimination or the restriction of staff-guided tours of the Capitol, except for security purposes, of course. The motion I'm offering today would instruct the House conferees to insist on this provision in conference. It is imperative that our staff be able to lead tours for our constituents and that our constituents are able to properly see this beautiful building, especially allowing it to be viewed from different standpoints. Dif-

ferent States have different things that they like to point out in the United States Capitol, and I think that it is certainly important that we continue to be able to do this.

Madam Speaker, I urge my colleagues to adopt this motion to instruct.

I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, while I support some of the content of the motion to instruct, essentially what much of it does is it ties the hands of the conference committee and really essentially would prevent us from being able to ensure that the government would continue to run.

There is precedent for adding unrelated matters in conference reports. The leadership on the other side of the aisle did so in 2006, and our tradition and our preference in the House is to make sure the conferees have as much flexibility as possible to ensure that the government can continue to function.

With that, I reserve the balance of my time.

Mr. ADERHOLT. I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Madam Speaker, I want to fully support the comments of the gentlewoman from Florida. Some of the language in this motion is perfectly acceptable, but the most serious defect in the language is that it would simply tell the committee that it cannot do what the then-majority party did in September 2006.

In September 2006, the other party—then in the majority—attached the continuing resolution to the Department of Defense appropriation bill. Only two Republican Members of the House voted against that. Mr. ADERHOLT voted for that process at that time, so did Mr. LEWIS, so did Mr. BOEHNER, and so did Mr. CANTOR. So it would seem to me considerably ill-advised for this House to say that in order to keep the government open, we are not allowed to follow the very same procedure which was followed by the other side of the aisle and for which the gentleman voted.

I think that's enough said, and I thank the gentlewoman for the time.

Mr. ADERHOLT. Madam Speaker, I think what needs to be pointed out at this point is that as the minority here, we would like to see a clean CR passed. We were under the impression that there would be a clean CR that would be ready to be voted on tomorrow. There has been no effort by the majority to go ahead and bring this for a vote and to pass a clean CR. So that's what we would like to do. We would not like to see it attached to some other legislative vehicle but to simply pass a clean CR to make sure the government stays open. That's why I think we should do that, and we have this motion at the desk.

I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield 30 seconds to the gentleman from Wisconsin.

Mr. OBEY. Madam Speaker, let me say, there are only two instances in which this is not an absolutely straight, clean CR. We do make an exception for veterans. We fund them at a higher level than we would ordinarily fund them in the continuing resolution. Secondly, we do make an exception for the Census because 2010 is coming at us whether we agree on this House floor or not. Those are the only two legislative items that depart from the traditional CR.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield an additional 30 seconds to the gentleman.

Mr. OBEY. Virtually every judgment made in the contemplated CR is the judgment which is simply that of the authorizing committee of jurisdiction, and that's what CRs are supposed to do.

Mr. ADERHOLT. I think it should be noted, the last time this happened, we were funding our troops and not funding ourselves. The bottom line is that the majority is forcing Members to choose between voting for our own office budgets or voting for a government shutdown. The majority is also using this parliamentary gimmick to avoid certain debate or votes on the floor that would occur under the normal CR process.

I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield myself such time as I may consume.

I think it's important to note that it is entirely appropriate to consider amending—at the point that we do—amending the CR to the Legislative Branch appropriations bill, which is essentially a government function. Our purpose in continuing to pursue that avenue would be to ensure that the government can continue to function.

In addition to that, because the legislative branch essentially has no significant differences of opinion, it really was the most appropriate vehicle and makes the most sense to utilize as a vehicle.

With that, I am prepared to yield back if the gentleman is.

□ 1845

Mr. ADERHOLT. In closing, let me say that I think it's very important, again, that we don't force Members to choose between voting for our own office budgets and voting for a government shutdown. Why are we choosing this particular vehicle for a CR? It is my understanding that the Homeland Security bill is also ready to go, and to attach it to choosing our own budgets to fund the Federal Government I think is a mistake. That's why we're concerned about the direction the majority is going on this. Therefore, we

have this motion that would restrict this from being added to it.

At this point, we would ask that a clean CR be moved forward and, therefore, it would not be attached to the Legislative Branch bill.

I yield back the balance of my time. Ms. WASSERMAN SCHULTZ. I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. ADERHOLT. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 191, nays 213, not voting 28, as follows:

[Roll No. 734]

YEAS—191

Aderholt	Frelinghuysen	Murphy (NY)
Akin	Gallegly	Murphy, Tim
Alexander	Garrett (NJ)	Myrick
Altmire	Gerlach	Neugebauer
Austria	Giffords	Nunes
Bachmann	Gingrey (GA)	Nye
Bachus	Gohmert	Olson
Bartlett	Goodlatte	Paul
Barton (TX)	Graves	Paulsen
Biggert	Guthrie	Pence
Bilbray	Hall (TX)	Perriello
Billirakis	Harper	Peters
Bishop (UT)	Hastings (WA)	Petri
Blackburn	Heller	Platts
Bonner	Hensarling	Poe (TX)
Bono Mack	Herger	Posey
Boozman	Hoekstra	Price (GA)
Boren	Hunter	Putnam
Boustany	Inglis	Radanovich
Brady (TX)	Issa	Rehberg
Bright	Jenkins	Reichert
Broun (GA)	Johnson, Sam	Roe (TN)
Brown (SC)	Jones	Rogers (AL)
Brown-Waite,	Jordan (OH)	Rogers (KY)
Ginny	Kennedy	Rogers (MI)
Buchanan	King (IA)	Rohrabacher
Burgess	King (NY)	Rooney
Burton (IN)	Kingston	Ros-Lehtinen
Buyer	Kirk	Roskam
Calvert	Kirkpatrick (AZ)	Royce
Camp	Kline (MN)	Ruppersberger
Campbell	Kratovil	Ryan (WI)
Cantor	Lamborn	Scalise
Cao	Lance	Schmidt
Capito	Latham	Schock
Carter	LaTourette	Sensenbrenner
Cassidy	Latta	Sessions
Castle	Lee (NY)	Shadegg
Chaffetz	Lewis (CA)	Shimkus
Childers	Linder	Shuster
Clay	LoBiondo	Simpson
Coble	Lucas	Smith (NE)
Coffman (CO)	Luetkemeyer	Smith (TX)
Cole	Lummis	Souder
Conaway	Lungren, Daniel	Stearns
Crenshaw	E.	Sullivan
Culberson	Mack	Taylor
Davis (KY)	Manzullo	Teague
Deal (GA)	Marchant	Terry
Dent	Marshall	Thompson (PA)
Diaz-Balart, L.	McCarthy (CA)	Thornberry
Diaz-Balart, M.	McCaul	Tiahrt
Donnelly (IN)	McClintock	Tiberi
Dreier	McCotter	Turner
Duncan	McHenry	Upton
Ehlers	McIntyre	Walden
Ellsworth	McMahon	Wamp
Emerson	McMorris	Westmoreland
Fallin	Rodgers	Whitfield
Flake	Mica	Wilson (SC)
Fleming	Miller (FL)	Wittman
Forbes	Miller (MI)	Wolf
Fortenberry	Miller, Gary	Young (AK)
Fox	Mitchell	Young (FL)
Franks (AZ)	Moran (KS)	

NAYS—213

Abercrombie	Gutierrez	Neal (MA)
Ackerman	Hall (NY)	Oberstar
Adler (NJ)	Halvorson	Obey
Andrews	Hare	Oliver
Arcuri	Harman	Ortiz
Baca	Hastings (FL)	Pallone
Baird	Heinrich	Pascarell
Baldwin	Hereth Sandlin	Pastor (AZ)
Barrow	Higgins	Payne
Becerra	Hill	Perlmutter
Berkley	Himes	Peterson
Berry	Hinchee	Pingree (ME)
Bishop (GA)	Hinojosa	Polis (CO)
Bishop (NY)	Hirono	Pomeroy
Blumenauer	Hodes	Price (NC)
Bocciari	Holden	Quigley
Boswell	Holt	Rahall
Boucher	Honda	Rangel
Brady (PA)	Hoyer	Reyes
Braley (IA)	Inslee	Rodriguez
Brown, Corrine	Israel	Ross
Butterfield	Jackson (IL)	Rothman (NJ)
Capps	Jackson-Lee	Roybal-Allard
Cardoza	(TX)	Rush
Carnahan	Johnson (GA)	Ryan (OH)
Carney	Johnson (IL)	Salazar
Carson (IN)	Kagen	Sánchez, Linda
Castor (FL)	Kaptur	T.
Chandler	Kildee	Sanchez, Loretta
Chu	Kilpatrick (MI)	Sarbanes
Clarke	Kilroy	Schakowsky
Cleaver	Kind	Schauer
Clyburn	Kissell	Schiff
Cohen	Klein (FL)	Schrader
Connolly (VA)	Kosmas	Schwartz
Conyers	Kucinich	Scott (GA)
Cooper	Langevin	Scott (VA)
Costa	Larsen (WA)	Serrano
Costello	Larson (CT)	Shea-Porter
Courtney	Lee (CA)	Sherman
Crowley	Levin	Shuler
Cuellar	Lewis (GA)	Sires
Cummings	Lipinski	Slaughter
Dahlkemper	Loebbeck	Smith (WA)
Davis (AL)	Lofgren, Zoe	Snyder
Davis (CA)	Lowe	Space
Davis (IL)	Lujan	Spratt
Davis (TN)	Lynch	Stupak
DeFazio	Maffei	Sutton
DeGette	Maloney	Tanner
DeLauro	Markey (CO)	Thompson (CA)
Dingell	Markey (MA)	Thompson (MS)
Doggett	Massa	Tierney
Driehaus	Matheson	Titus
Edwards (MD)	Matsui	Tonko
Ellison	McCarthy (NY)	Towns
Engel	McCollum	Tsongas
Eshoo	McDermott	Van Hollen
Etheridge	McNerney	Velázquez
Farr	Meek (FL)	Visclosky
Fattah	Meeks (NY)	Walz
Filner	Melancon	Wasserman
Foster	Michaud	Schultz
Frank (MA)	Miller (NC)	Waters
Fudge	Miller, George	Watson
Gonzalez	Minnick	Watt
Gordon (TN)	Mollohan	Weiner
Grayson	Moore (KS)	Welch
Green, Al	Murphy (CT)	Wexler
Green, Gene	Murphy, Patrick	Woolsey
Griffith	Nadler (NY)	Wu
Grijalva	Napolitano	Yarmuth

NOT VOTING—28

Barrett (SC)	Edwards (TX)	Richardson
Bean	Granger	Sestak
Berman	Johnson, E. B.	Skelton
Blunt	Kanjorski	Smith (NJ)
Boehner	McGovern	Speier
Boyd	McKeon	Stark
Capuano	Moore (WI)	Waxman
Delahunt	Moran (VA)	Wilson (OH)
Dicks	Murtha	
Doyle	Pitts	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1910

Messrs. SCOTT of Georgia, STUPAK, Ms. CHU, Ms. LORETTA SANCHEZ of California, Mr. SALAZAR, Ms. EDWARDS of Maryland, Messrs. McDERMOTT, FATTAH, LANGEVIN,

SARBANES, Ms. CORRINE BROWN of Florida, Ms. PINGREE of Maine, Messrs. CLEAVER and CUMMINGS changed their vote from “yea” to “nay.”

Ms. GIFFORDS, Messrs. GINGREY of Georgia, BURGESS, POSEY, Mrs. KIRKPATRICK of Arizona and Mr. McMAHON changed their vote from “nay” to “yea.”

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Ms. WASSERMAN SCHULTZ, Mr. HONDA, Ms. MCCOLLUM, Messrs. RYAN of Ohio, RUPPERSBERGER, RODRIGUEZ, OBEY, ADERHOLT, LATOURETTE, COLE, and LEWIS of California.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111-264) on the resolution (H. Res. 766) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

EASTERN EUROPEAN ALLY, POLAND

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute.)

Mr. QUIGLEY. Madam Speaker, last week marked the 70th anniversary of the attack on Poland, helping to launch the Second World War.

Last week was also marked by an announcement that the administration plans to scrap a planned missile defense system in Poland and the Czech Republic and refocus its missile defense program on protecting against short-range Iranian missiles.

This realignment of priorities reflects the new threats we face. However, as we shift our focus, we must not forget the vital role played by our European ally, Poland. Poland has always stood by the United States with support dating back to the Revolutionary War where Polish heroes like Casimir Pulaski fought to help America achieve independence.

Poland unilaterally repealed the visa requirement for United States citizens traveling to Poland. Indeed, Poland has always stood by us. Though I would like to say we have returned that favor, unfortunately, we have not.

Madam Speaker, it's time to extend and ultimately make permanent the visa waiver program. Our friends in Poland have proven their steadfast dedication to the cause of freedom and friendship with the United States. We must do the same.

SUPPORT AND SYMPATHY FOR THE PEOPLE OF GEORGIA

(Mr. GINGREY of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to express my support and sympathy for the people of Georgia, including so many of my constituents who have been affected by the devastating floods across the Southeast. From flooded basements to homes, businesses and schools that are completely under water, the damage is acute, an estimated \$250 million.

Mr. Speaker, most tragically the flooding in Georgia has claimed nine lives, including two in the counties that I represent, little 2-year-old Preston Slade Crawford from Carroll County and 15-year-old Nick Osley from Chattooga County. My thoughts and prayers are with their families at this incredibly difficult time.

I do want to take a moment to commend the first responders and the State officials who have been working around the clock since the flooding began. We owe a tremendous debt of gratitude for their efforts.

I will continue to work with Governor Perdue and with the State and local officials to ensure that they are getting the resources they need to help recover from these floods. My thoughts and prayers remain with all of those affected by the floods as we look forward to recovery.

□ 1915

HAS AMERICA FLINCHED?

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the tiny tyrant from Iran, President Ahmadinejad, is speaking at the United Nations today, continuing to spread his hate against Israel and the United States. He's taunting the world with his nuclear program—by intimidation. He wants a nuclear bomb. And recent leaked reports say he's got all the elements to build a nuclear weapon.

The administration has abandoned the American missile defense shield based in Poland that was to protect us from Iranian missiles. Just a few days ago, one popular Polish newspaper had the front page headline that said, "Betrayed! The United States has sold us to the Russians and stabbed us in the back." We have left our allies vulnerable—like Poland—who stand with us fighting terrorism in Afghanistan.

The little fella in the desert has challenged the United States of America.

He's called us out, and we backed off. We have succumbed to the Desert Rat's demands.

Truman, Kennedy, Reagan. None of these historical giants ever backed down from a gunslinger's threats. They knew that it was their responsibility to protect this Nation. To stand with our allies. When they were called out by tyrants, they stood their ground and did not flinch.

Has America lost its nerve? We shall see.

And that's just the way it is.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. McMAHON). Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

FOOTING THE BILL FOR AN AMERICAN EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. I want to discuss an issue that is important to border counties along the Texas-Mexico border. One of those particular areas is in Del Rio, Texas. It's a border town that borders Mexico. Every day, students from Mexico cross from Mexico into the United States to go to American schools. Some of those individuals have visas to go to private schools. But the vast majority of them, it appears, do not have any type of visas to go to American schools. And they come in and go to our public schools.

On the first day of school this year, the superintendent of the San Felipe Del Rio School District had counted the people that came across into the United States and told those individuals, through other people, that they had to have visas or they could not go to public schools or private schools.

550 students crossed into the United States, and only 150 of them had visas, presumably, to go to private schools. The rest of those went to public schools.

Now this is not an issue of citizenship, because the Supreme Court has stated—and I think incorrectly so—that if a person is in the United States, they can go to the public schools in this country, regardless of whether they're a citizen or not.

This is an issue of living in the district, the school district where these kids go to school. Under Texas law, you must live in the district to be allowed to go to public school. Now this applies to everybody, citizens and noncitizens.

For example, if somebody is from Oklahoma, they can't go to a public school in Texas because they don't live in the district. The same is true of foreign students, whether they are legal or illegal.

And so the reason for this is because in Texas most of the money that goes

to support public schools comes from property taxes. That's where people who live in that school district, they pay the money for people to go to the school.

It's an increasing problem along the Texas-Mexico border because more and more schools are being built, and the reason they are being built is there are people who live in other districts and many of them in foreign countries that cross the border every day, go to public school in the United States, do not live in the district, and, of course, they don't help pay for those schools that are being built to serve them.

Well, I was down on the Texas-Mexico border not too long ago. I stood on the bridge between El Paso and Mexico. One morning, hundreds of kids came across the border. I'm standing on the international border, turning around and looking at the kids coming into the United States.

These are a bunch of high school students going to our public schools. Down here are a bunch of elementary going to our schools. And some of them are going to private schools as well.

What happens is the cost for supporting people who don't live in these districts, many of them foreign nationals, many of them illegally in the United States, goes to the people who live in those districts. And it seems to me that it's only fair that people should not be going to public schools in the United States if they don't live in the districts that have to support their education, free to them but not free to the other people who live in those districts, through property taxes.

So I commend those border counties, those small school districts, those areas of the State of Texas that are poor to begin with for having to continually raise property taxes—taxes that have to be paid by legal immigrants, paid by American citizens—to pay for the education of people that don't even live in the United States.

I think the time has come for us to enforce the border, enforce the rule of law in the United States, and to prevent people who, every day—not at their expense—cross the border, go to the schools in the United States, to public school, don't live here, don't pay for that education, but expect and make somebody else pay for that.

That's just not right. And I commend those school districts that are trying to get a grasp on the cost of education for people who live in those small rural areas and those counties along the border of the United States and Mexico, because those people who live in those areas foot the bill for the expense of public education.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

UNITED STATES-ISRAELI BOND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. PETERS) is recognized for 5 minutes.

Mr. PETERS. Mr. Speaker, I rise this evening to talk about the important and special relationship that the United States shares with the Jewish State of Israel and how this relationship is of growing importance to the security and prosperity of both of our countries.

Recently, I traveled to Israel with 28 of my Democratic colleagues. I know many of my Republican colleagues also visited Israel this past summer, and this is important because it underscores the fact that the strong bond between the United States and Israel knows neither party nor ideology.

I first traveled to Israel in 2000 when I served in the Michigan State senate, along with senate colleagues. 2000 was the peak of peace negotiations, and what struck me most about the differences between today and that trip nearly a decade ago is how the hope of everyday Israelis for a peaceful future has been replaced by a constant fear of security. Instead of anticipating a soon-to-be-signed peace accord, Israelis are anxious over not whether, but when, the next rocket attack will come from either Hamas or Hezbollah.

When we visited the southern city of S'derot, we saw an armor-shielded playground built to protect the city's children from Qassam rocket attacks. As a parent, it was difficult seeing young, innocent children having to play on swings and slides encased in a facility constructed with thick reinforced concrete, knowing that this is the only safe place for children to play because of the constant threat of rocket attacks. Children, who should be carefree at play, instead suffer from post-traumatic stress.

Israel faces so many threats. It faces the threats of terrorism attacks from within its borders and rocket bombings from just beyond its borders. It faces Iran's nuclear ambitions and the growing ambivalence from many in the world community towards Israel's right to exist.

Israel is wrongly assailed for defending its own borders and citizens, as we saw last week in the flawed Goldstone Report, which unfairly criticizes Israel despite its strong efforts to protect all civilians. Israel faces criticism from even attempting to deter the growing Iranian threat.

Israel is a lonely democracy in a sea of tyranny; a shining example in a dangerous corner of the world of how freedom and democracy, pluralism, and economic ingenuity can lead to a high standard of living for all. Despite its hardships, Israelis are reliant and, because of this, their country prospers.

Israel has made its desert bloom and its high-tech sector has made its economy blossom. Israel is advancing towards independence from the fossil fuels that fund our enemies. I'm

pleased that auto technology experts from Michigan are traveling to Israel next month on a trade mission to exchange ideas and to take advantage of the economic creativity and ingenuity both of our nations have to offer.

Jews in Israel, the United States, and around the world celebrated the Jewish New Year and soon will observe the solemn fast of Yom Kippur. While these should be holidays of happiness and deep reflection, in Israel they are, sadly, reminders of the need for eternal vigilance.

Ever since the Yom Kippur War in 1973, Israelis and Jews around the world have learned that they cannot take Israel's security for granted, not even for a day—not even on the holiest day of the year.

Eleven minutes after David Ben Gurion declared Israel's independence in 1948, President Harry Truman recognized the Jewish state, and the special relationship between the United States and Israel began. On that day, the United States was the first Nation to stand with Israel, as we must continue to be today.

Our nations' alliance is one rooted in the common values of democracy, respect for the rule of law, economic growth, and pluralism. The mutual need for this relationship has only become greater throughout the years. After returning from Israel and seeing the threats Israelis face every day, I know we must do everything possible to make sure our friendship with Israel is maintained and strengthened.

Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

MORE GOVERNMENT WON'T HELP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, our government has been mismanaging medical care for more than 45 years. For every problem it has created, it has responded by exponentially expanding the role of government.

Here are some points I'd like to have my colleagues consider. Number one, no one has a right to medical care. If one assumes such a right, it endorses the notion that some individuals have a right to someone else's life and property. This totally contradicts the principles of liberty.

Number two, if medical care is provided by government, this can only be achieved by an authoritarian government unconcerned about the rights of the individual.

Number three, economic fallacies accepted for more than 100 years in the United States have deceived policymakers into believing that quality care

can only be achieved by government force, taxation, regulations, and bowing to a system of special interests that creates a system of corporatism.

Number four, more dollars into any monopoly run by government never increases quality, but it always results in higher costs and prices.

Number five, government does have an important role to play in facilitating the delivery of all goods and services in an ethical and efficient manner.

Number six, first, government should do no harm. It should get out of the way and repeal all of the laws that have contributed to the mess we have.

Number seven, the costs are obviously too high, but in solving this problem one cannot ignore the debasement of the currency as a major factor.

Number eight, bureaucrats and other third parties must never be allowed to interfere in the doctor-patient relationship.

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Number 9, the Tax Code, including the ERISA laws, must be changed to give everyone equal treatment by allowing a 100 percent tax credit for all medical expenses.

Laws dealing with bad outcomes and prohibiting doctors from entering into voluntary agreements with their patients must be repealed. Tort laws play a significant role in pushing costs higher, prompting unnecessary treatment and excessive testing. Patients deserve the compensation; the attorneys do not.

Number 10, insurance sales should be legalized nationally across State lines to increase competition among the insurance companies.

Number 11, long-term insurance policies should be available to young people similar to term life insurances that offer fixed prices for long periods of time.

Number 12, the principle of insurance should be remembered. Its purpose in a free market is to measure risk, not to be used synonymously with social welfare programs. Any program that provides for first-dollar payment is no longer insurance. This would be similar to giving coverage for gasoline and repair bills to those who buy car insurance or providing food insurance for people who go to the grocery store. Obviously, that would not work.

Number 13, the cozy relationship between organized medicine and government must be reversed.

Early on medical insurance was promoted by the medical community in order to boost reimbursements to doctors and hospitals. That partnership has morphed into the government/insurance industry still being promoted by the current administration.

Number 14, threatening individuals with huge fines by forcing them to buy insurance is a boon to the insurance companies.

Number 15, there must be more competition for individuals entering into

the medical field. Licensing strictly limits the number of individuals who can provide patient care. A lot of problems were created in the 20th century as a consequence of the Flexner Report in 1910, which was financed by the Carnegie Foundation and strongly supported by the AMA. Many medical schools were closed, and the number of doctors was drastically reduced. The motivation was to close down medical schools that catered to women, minorities, and especially homeopathy. We continue to suffer from these changes, which were designed to protect physicians' income and promote allopathic medicine over the natural cures and prevention of homeopathic medicine.

Number 16, we must remove any obstacle for people seeking holistic and nutritional alternatives to current medical care. We must remove the threat of further regulations pushed by the drug companies now working worldwide to limit these alternatives.

True competition in the delivery of medical care is what is needed, not more government meddling.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. TOWNS) is recognized for 5 minutes.

(Mr. TOWNS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE INNOVATION ECONOMY OF THE FUTURE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. TONKO) is recognized for 5 minutes.

Mr. TONKO. Mr. Speaker, on Monday I had the distinguished honor of hosting President Barack Obama to New York's 21st Congressional District that I represent when he paid a visit to Hudson Valley Community College in the city of Troy.

I want to extend my sincerest thanks to the President for recognizing that New York's Capital Region has become a leader in advanced technologies, has the ingredients to lead in the clean energy sector, and, most of all, for delivering a message that was full of inspiration and full of hope for a better future.

Why did the President come to New York's Capital Region to deliver an address on developing an innovation economy? Because we are transforming a rusty manufacturing center that had fallen on hard times into a center for advanced technologies that will soon rival the Silicon Valley and Boston. That is being done with a combination of public and private investment in close partnership with many universities and community colleges throughout the area.

The President touched on a few points that I have been talking about for years: an innovation economy built around three dynamics: upgraded

human capital, infrastructure investments, and financial tools. We must retrain our workers to develop the energy and innovation economy of the future and leverage public funds with private investments to do so. If we are successful, this will lead to jobs such as wind engineers, advanced photovoltaic mechanics, fuel cell electricians, geothermal plumbers, technically trained teachers, clean room technicians, and many more.

In Albany we have built a nanotechnology research center and college that have earned a worldwide reputation, which is already a precursor to products in a wide range of economic sectors, from health care to low-emission engines. In Schenectady, General Electric Global Research Center and Wind Energy Institute are leading an army of smaller companies and entrepreneurs in alternative energy development. GE also just committed to building an advanced battery plant in Schenectady that will add 350 jobs and create a new energy storage system for locomotives that will save millions of dollars on fuel and dramatically reduce air pollution. And just to the north of my district, in my colleague Congressman SCOTT MURPHY's district, Global Foundries is constructing the most advanced chip fabrication plant in the world.

Smart investments in research and development are leading to innovations that are creating new jobs that will lead to future growth, and that's a vision I share with President Obama for our entire Nation. We are engaged in a clean energy race, much like the space race of the 1960s. The nation that wins that race to develop clean, affordable, renewable energy and emerging technologies will achieve economic security and a broad base of jobs for generations to come that are higher-salaried jobs.

And that brings us to Hudson Valley Community College, where programs have been created to train the area's workforce in semiconductor manufacturing, photovoltaic, geothermal, and wind energy. Community colleges like Hudson Valley Community College and the others in my district, Fulton-Montgomery Community College and Schenectady Community College, that will become the vital link between the innovations that will drive our new economy and the great-paying jobs that will lead to economic security for workers now and into the future. Community colleges will be where we train and retrain workers for the jobs of the future. The White House Council of Economic Advisers said in a recent report that in the near future, a degree from a community college will be in higher demand than 4-year degrees.

But this effort doesn't start with college. We need to educate today's children for the jobs that will be there when they become adults. The Capital Region is ripe to offer a regional approach to technological training, starting from grade school all the way up.

In fact, in the Capital Region of New York State, we have established a Tech Valley High School; and Hudson Valley Community College, working with the New York State Energy Research and Development Authority, is building a resource for training and educating the future semiconductor manufacturing workforce. We must use the tools at our disposal in our region to instill a sense of excitement and passion toward learning, especially in the disciplines of science, of technology, of engineering, and, yes, of mathematics.

In Congress we are already laying the groundwork for our innovation economy, first through the Recovery Act, then through legislation such as the American Clean Energy and Security Act. Just last week we passed in this House the Student Aid and Fiscal Responsibility Act, which will make college affordable for millions more Americans and help build a world-class community college system.

Our future economy depends on our ability to educate and innovate. The challenges to lessen our dependence on foreign fossil fuels is an opportunity to create new industries, new jobs, and new economic security for all Americans, a vision that I share with our President and many of my colleagues.

Our President's vision of an innovation economy is ripe in the 21st Congressional District.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. FORBES) is recognized for 5 minutes.

(Mr. FORBES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. BISHOP) is recognized for 5 minutes.

(Mr. BISHOP of Utah addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

(Mr. FRANKS of Arizona addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

(Mr. GOHMERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FLAKE) is recognized for 5 minutes.

(Mr. FLAKE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. AKIN. I thank the Speaker and my colleagues for this opportunity to once again take a look at the area of health care, something that has been capturing the attention of Americans and legislators for 10 these many weeks, and to take a look at some of the controversy that's developed between one statement and then a different statement and the two don't seem to agree. So what is the real story? And we're going to take a look at a number of those areas today. Various statements that have been made on health care, what the record seems to support, what Congressional Research has to say, people who are reasonably scholarly, take a look at the facts and say, well, what really is going on.

I think the first thing, and I think this is something that has caught the attention of Americans, is a concern over the cost of health care. If you bear with me just a minute, I'm going to try to get some charts up here to help illustrate it.

Through experience, just history and common sense tells us when the government is trying to do something, there are some side effects. Sometimes it's excessively expensive. Sometimes there is bureaucracy and rationing, inefficient allocation of resources, and degraded quality.

If you take a look at various government Departments, you think of things like the Post Office Department, something that's not noted for its efficiency, or the IRS, not noted for its compassion particularly, and the excessive expenses that seem to come up.

We established a Department called the Department of Energy. It was originally established to try to make sure that we were not dependent on foreign energy and foreign oil. That Department has grown tremendously, and we have become increasingly dependent on foreign oil.

So when we talk about the government, particularly the government injecting itself into a lot of areas, one of the concerns becomes particularly the cost.

Now, we were reassured on this point by President Obama when he spoke here in this Chamber not so many weeks ago, and this is part of his speech:

"Most of this plan can be paid for by finding savings within the existing health care system, a system that is currently full of waste and abuse."

Of course, what he's talking about, one of the major places where he's going to get money is from Medicare, which is kind of an interesting thing because in the past it was Republicans who were accused of raiding Medicare. Here President Obama is saying that this can be paid for by finding savings within the existing health care system and part of the piece of that is going after Medicare.

So the question is, Is this something that's going to cost us a lot of money and what is the record of this administration and the government in general in terms of spending?

Here we have, from the beginning of this year, the spending pattern of the President and the Democrat leadership. And he complained at the beginning of his speech on health care that he had inherited a trillion dollar deficit, and, in fact, it was \$240 billion. And yet here he has in a matter of 6 months or so burned up \$3.6 trillion. So this statement that most of this plan can be paid for by finding savings within the existing system that's currently full of waste, and then he goes on to say "Here's what you need to know: First, I will not sign a plan that adds one dime to our deficits." He's not going to add one dime to our deficits either now or in the future, period. Well, \$3.6 trillion in debt is a lot of dimes. I don't know how many dimes. They'd probably stack up from here to the Moon for all I know.

I'm joined today by some distinguished colleagues and particularly a doctor and a gentleman who has had experience in medicine for a good number of years and somebody who has studied up on this entire system.

Congressman FLEMING, if you would join us, if you would like to make a comment.

I would like you to, first of all, take a look at this question. Is this proposal

of the President something that really is not a big deal financially, or is this something that could become extremely expensive to the Federal deficit?

Mr. FLEMING. Well, I thank the gentleman, Mr. AKIN, for the question.

Of course, I, among all of our Republican colleagues and our Democrat colleagues, was here to hear the President make these statements, and it's very interesting when he said not one dime would be spent, and yet I don't know of anyone in America who agrees with that. Even the CBO, who is led by someone who was actually appointed by him, says that even with all of the razzle dazzle and the sleight of hand and pulling rabbits out of the hat, still there's \$256 billion that's not covered, and that's after the \$500 billion that's being gutted from Medicare, as you adroitly pointed out.

□ 1945

Mr. AKIN. Say that again. How much was gutted from Medicare?

Mr. FLEMING. Well, it is a two-step situation. About \$350 billion.

Mr. AKIN. That is more than the deficit he inherited from the Bush administration. He is going to take that much out of Medicare?

Mr. FLEMING. That is the first step. The second step is nearly another \$200 billion that comes out of Medicare Advantage. So the total comes to something well over \$500 billion, half a trillion dollars.

Mr. AKIN. \$500 billion taken out of Medicare. That is a pretty gutsy move, it seems like to me, to be taking \$500 billion out of Medicare. And he is calling that, what his statement was: Most of the plan would be paid for by finding savings within the existing health care system, a system that is currently full of waste and abuse.

I guess he is looking at the waste and abuse would be \$500 billion out of Medicare; is that correct?

Mr. FLEMING. Well, \$350 billion would be from the so-called fraud, waste and abuse. The other \$150 or so billion, almost \$200 billion, would be to directly tear down, dismantle, if you will Medicare Advantage.

Mr. AKIN. I have heard politicians going along on this line, and it sounds like to me that there is a line item, or there are three line items, waste, fraud and abuse, and you can just cut the numbers out of those lines. Is that how it works?

Mr. FLEMING. It seems to me that it is easy to do on paper, but this program is over 40 years old. And every politician that has come along has promised to do away with fraud, waste and abuse. Not one has been able to do it, and our President nor our colleagues on the other side of the aisle have even hinted how that would be accomplished.

Mr. AKIN. That is interesting; \$500 billion out of Medicare alone. That is a significant number.

We are joined by Congresswoman FOX who has dazzled us down here in

the last few years. I think of her as the grandmother of the legislators. It is a delight to have you here.

Ms. FOXX. Thank you very much, Congressman AKIN, for leading this hour tonight and for all of the leadership that you have given, particularly this session, on bringing to the attention of the American public some of the things that need to be brought to their attention.

I think you are certainly on the right track in talking about the fact that it is impossible to do what the President and Speaker PELOSI have been saying about expanding health care coverage, government-run health care coverage, to other people without it costing another dime.

It reminds me of Congressman MILLER saying last week, on another issue that I think you want to talk about in a little bit, on the government taking over the student loan program.

Mr. AKIN. I appreciate your bringing that up, but I would like to get there in just a minute.

Ms. FOXX. He said on the floor that we would go from the government having 22 percent of student loans, only 22 percent, to having all of them, and it wouldn't cost the government a dime. My point is these people keep promising programs and expanding programs and nothing is going to cost anything.

Mr. AKIN. Reclaiming my time, I would like to ask my friends here, and here is the specific statement made by the President. And I think it is helpful, you take the specific statements and you take a look at them and say: Does it make sense or does it not? Here is the statement, and what is a rational analysis of this?

"Here is what you need to know. First, I will not sign a plan that adds one dime to our deficits, either now or in the future."

We have heard that we are not going to add a dime to the deficits, and in just 6 months we have scored \$3.6 trillion from all of these different programs. You have the Wall Street bailout and the economic stimulus, the SCHIP, the appropriations bill, and this cap-and-tax, which is the biggest tax increase in the history of our country, and for him to say it is not going to add a dime to our deficit.

He also promised during the campaign that nobody making less than \$250,000 would pay any taxes, and yet this cap-and-tax that we did means that as soon as you flip a light switch, you are starting to pay taxes. Now tell me, do people who flip light switches, do they all make over \$250,000? There is a question of credibility when you hear a statement as broad and as general as that.

Here is another one: "Most of this plan can be paid for by finding savings within the existing health care system, a system which is full of waste and abuse."

Every year we are putting a patch on Medicare because the doctors are get-

ting paid so little that they are getting to the point that when somebody walks into their office and says, I'm on Medicare, they say, Sorry, I can't afford to take any more Medicare.

So as a doctor, if you keep getting paid less and less for Medicare people, there is going to come a point where the people who have Medicare, they have government insurance, but they don't have government health care because a doctor won't accept the wage.

So I guess when we hear this, I don't know if this passes the sniff test.

Ms. FOXX. If the gentleman would yield, I think another point that needs to be made is that the President has said on many occasions that when he took office he inherited a \$1 trillion deficit.

Mr. AKIN. That isn't true, is it?

Ms. FOXX. I wanted to see if you would help me with my memory on that. My memory is that when President Bush left office and President Obama came in, that the deficit was \$259 billion, too big a deficit, but only \$259 billion, compared to the \$1 trillion which occurred almost immediately because of the stimulus package. The stimulus package created the \$1 trillion deficit; is that your memory?

Mr. AKIN. It isn't just my memory. There is an expression that everybody is entitled to their opinion, but there is only one set of facts. And the facts are that it was in the range of \$250 billion or so, and many of us who are conservatives would say that was too much. But still, it is not in the range of a trillion, or \$3.6 trillion, which we are burning with all of these programs.

Here is another chart that I think people are vaguely aware of. President Bush, before, went where you are not supposed to go politically and said to the American public, Medicare and Social Security are broken. And maybe people beat him up for that, but in general Americans realize Social Security and Medicare, these programs are broken, partly because they weren't designed right to begin with and partly because of the demographic shift and all of those of us who are baby boomers and all of that. But here is a chart on the expansion of Medicare and Social Security.

My question is, if we can't manage Medicare and Social Security, and those costs are going up to this point where you have this dotted line. You have Medicare, Medicaid, and Social Security added together absorb the entire budget. There is no money for the arts, no money for public radio, and no money for defense or anything else, just those three programs. It totally gobbles up about the maximum you can get, because if you raise taxes more, you get less in because you kill the economy. So is it reasonable when you have the experience of Medicare and Medicaid expanding the way they are, the solution to this is obviously the government being more involved? Somehow, that doesn't pass the sniff test.

I yield to Dr. FLEMING.

Mr. FLEMING. A point you raised, Mr. AKIN, is a very important one that is often left out of the debate, and that is that Medicare and Medicaid are paying such low rates, far below cost in many cases, that it is only the private insurance market that is making up the difference, that keeps doctors solvent and keeps their offices open. If you look at the increase in private insurance premiums and the fact, and the President points this out frequently, the rate of increases is higher than inflation, well, what is causing that is the government-run health care that we already have which is being subsidized by the private market.

Mr. AKIN. Reclaiming my time, therefore, following your line of reasoning, if you keep taxing the privates more and more, they are going to get smaller. And when that gets smaller, your base of collecting those tax revenues gets smaller, and you have more and more people who are subsidized who are absorbing the resource, and pretty soon you are in a death spiral. Is that your point?

Mr. FLEMING. Exactly. People say how will this ever lead—what you really have is a competing public plan against private plans, and how will this lead to rationing and long lines? The bottom line is, when you artificially suppress the income to the providers, doctors and hospitals and DME companies and so forth, what you end up with is really an artificial market which then is being collapsed in the private sector into a public sector market, and there is no way that is going to control costs, short of long lines.

Mr. AKIN. Speaking directly on that point, and I appreciate your going there because that is something that I thought was very interesting. In the context of our health care debate, something that happened here last week on the floor, and people should be paying big attention to this, and it seems like it is an unrelated subject but it is not at all, and that is the student loan situation. We are fortunate to have Congresswoman FOXX who was literally involved in the middle of that situation.

I would like to explain the history of the student loan program and how that connects to this concept, because one of the huge debates here, aside from the cost of the thing, is the question of whether there should be a government insurance plan included. The Democrats are about 50/50 divided on that point. The Republicans are not at all divided. We think no, absolutely not. It is a deal breaker. We do not want the government getting into the insurance business.

So why would we be concerned? Well, because where that is going to lead. Let's go over and take a look at what happens in student loans and how that then relates to health care.

I yield to the gentlewoman from North Carolina.

Ms. FOXX. I will give you a very brief synopsis of it. I handled the rule

on the floor last week, so I was familiar with the bill. The Democrats have been trying to do this for a long time.

We have had in the Federal Government two ways for students to be able to borrow money to go to college. One was called the Direct Loan Program. They would go directly to the Department of Education and borrow money, pay it back over a period of time.

The second was something called the FFEL, and I can't remember exactly what those letters stand for, but students could borrow money from banks but the Federal Government would guarantee those loans. Back in the sixties when the Direct Loan Program was begun, right after it started, actually, it ran out of money and ran into all kinds of problems. Congress had to bail it out. That was long before my time, but it has constantly had problems.

Mr. AKIN. Reclaiming my time, was that the government Direct Loan Program always had problems?

Ms. FOXX. Yes.

Mr. AKIN. The deal is the government makes a loan to some student, you're going to go to college. The kid goes to college, doesn't repay the loan, and the government and the taxpayer has to then pick up the tab?

Ms. FOXX. That's right, put more money into it. So what happened was only about 22 percent of the people getting loans were getting them from the Direct Loan Program. Actually, that is a higher percentage than it had been over the years. The other 78 percent were getting their money from banks, and then the money was guaranteed by the Federal Government. What Chairman MILLER's bill did was say we are eliminating the private sector.

Mr. AKIN. Here is the interesting thing, though. If you went for a direct loan from the Federal Government, you got a lower interest rate on your loan, so you would think, shoot, everybody is going to go for that kind of loan, and, in fact 20 percent did, and the other 70-some did not. They paid more money in interest. Why? Because the loan was administered through the private sector. And the private sector was so much easier to deal with, they were willing to pay more in interest just not to have to deal with the Federal Government on it.

So what we did last week, then, was to basically eliminate, and there were some people that weren't federally insured at all and they were just totally private. So 20 percent of the market was just private. You had not quite 20 percent that was just straight Federal Government, and then you had in between the sector of private money with a guarantee from the Federal Government. So we have taken that huge sector in the middle and gotten rid of that so now the government runs 80 percent or so of the student loans; is that right?

Ms. FOXX. It will work that way if the Senate passes that bill, despite the fact that we kept saying over and over

and over again, Department of Education has no business becoming a bank, and that's basically what they are doing.

Mr. AKIN. So the first thing we are seeing is once more the Federal Government is getting their fingers into everything, and in this case, they are basically taking over student loans. But they started with the idea that we are just going to help the students get a lower interest rate. That was the toe in the door, the nose of the camel under the tent, to the point where now 60, 70, if this bill were to pass the Senate, where you have the government now in the student loan business.

Now, let's fast forward. How does that parallel our concern on health care? Well, our concern is you put a public option in and the government starts with that. It seems like just a little thing.

□ 2000

Then pretty soon you say, well, every insurance policy in the country has to be the same as the government's, which is what the legislation says. And pretty soon, guess what? You have one provider, the Federal Government, and the government has now taken over all of the health care.

I yield to my good friend, the Congressman from Georgia, who has a distinguished record here in the House but also is a medical doctor, which we don't hold against him. I would just be delighted to recognize my good friend, Dr. GINGREY.

Mr. GINGREY of Georgia. I thank the gentleman for yielding, Mr. Speaker. I hope my patients don't hold it against me as well.

But actually I just wanted for you to yield me time so I could ask our good friend from North Carolina, Ms. FOXX, a question in regard to this. You are right, she is a Member of our side of the aisle on the Rules Committee, does a great job of handling rules for us, and apparently does all of the education bills that come on the Floor.

There was some discussion, Representative FOXX, about how many jobs, in this time of losing jobs—they keep saying 14,000 people a day lose their health insurance; we know why, because they are losing their jobs—but in this particular instance, as far as that private sector, can you give us a number on that?

Ms. FOXX. We have an estimate that between 30,000 and 40,000 jobs in the private sector will be lost as a result of that education bill, and that, again, makes the statement that Mr. MILLER from California made so astounding, because it is like the statement that President Obama has made about the health care bill. Mr. MILLER said this will not cost the citizens of this country one single dime.

Mr. AKIN. Wait a minute. Reclaiming my time, you are starting to blow my circuits. You are saying that a Congressman on this floor, the head of the Education Committee now, says that

this government loan program is not going to cost us a dime?

Ms. FOXX. The complete takeover is not going to cost a dime.

Mr. AKIN. In other words, the Federal Government is going to go in and take over all of these student loans, and it is not going to cost a dime. You know what you would have to prove to prove that true? You would have to say that every single loan is going to be made good. That is what you would have to say almost to make that happen. I mean, that is beyond credible.

Ms. FOXX. It also is beyond credible when we know that there are 30,000 to 40,000 people in the private sector servicing the existing loans. It is incomprehensible to me.

Mr. AKIN. 30,000 or 40,000—that is jobs lost?

Ms. FOXX. Jobs lost, and that they believe that people in the Department of Education are going to absorb the program into the Department without adding any personnel. Now, that is beyond belief for anybody in this country I believe, to think that you add responsibilities to people who work in the Federal Government and they are not going to ask for additional personnel.

Mr. AKIN. You know, there is kind of an overused phrase around here, "people of faith." I mean, I think we are talking of people of faith that could make statements like that with a straight face almost.

I would like to just shift a little bit to my good friend from Georgia, and he in a way to me is a hero because he has done something which I think is a tremendous educational tool for the people of the United States.

On this House floor we are denied many, many times any kind of amendment that we can offer because it might be embarrassing to have to vote on something. But in committee, we still have the freedom to be able to offer amendments. And a third point of some considerable contention on health care is the question of rationing.

Is it going to end up that the government is going to, instead of an insurance agent getting between you and your doctor, which we don't like, even worse a bureaucrat telling the doctor and the patient, Sorry, you can't go there. Give him some aspirin and send him home. That is something that has been a concern.

So my good friend the doctor from Georgia offered an amendment in committee on this very point, and I don't think this has received nearly enough attention, Dr. GINGREY. But I want to review the simple sentence that you put in, because I think this really busts wide open this entire question about whether we are going to have rationing of health care.

"Nothing in this section shall be construed to allow any Federal employee or political appointee," that is, a bureaucrat, "to dictate how a medical provider practices medicine."

My understanding of what you are saying, doctor, is that that doctor-patient relationship, which we all consider to be the backbone of good medical care, is sacrosanct, and we are not going to put bureaucrats in charge of doctor-patient and medical decision-making.

Was that your point? And tell me about your amendment.

Mr. GINGREY of Georgia. Well, Mr. Speaker, I thank the gentleman from Missouri for yielding, and that essentially is the amendment that we proposed. There were a number of others. But on that particular one, early on, back on July 30 I believe is when we were marking up into the wee hours of the night, and the big concern was with when you look at the chart, this massive bureaucracy that was created between the patient here and the provider, there were all these government bureaucrats who had the authority under this bill, H.R. 3200.

Mr. AKIN. Was that that fantastic colored flowchart that we saw that had all the boxes and arrows all over?

Mr. GINGREY of Georgia. Mr. Speaker, the gentleman is right. I was able to hold that up when we were marking up the bill in Energy and Commerce, and, of course, C-SPAN cameras were there and showed the morass of bureaucrats on this in a chart depiction. But I think people got it, Mr. Speaker. They could see.

Mr. AKIN. So isn't that your point? You don't want bureaucrats getting in the way of medical decisions. Is that what you are trying to get at here?

Mr. GINGREY of Georgia. Absolutely.

Mr. AKIN. And how did it go? Tell me about the votes. Your amendment passed without any question, right? Everybody agrees to that doctor-patient relationship, right? There wasn't anybody that voted against your amendment?

Mr. GINGREY of Georgia. Well, what I am going to say, Mr. Speaker, the gentleman asked that question. I have answered that. If you asked every doctor and if you asked every patient, the answer would be, We don't want some government bureaucrat coming in this exam room telling either one of us what to do. This is a sacred relationship, really.

Mr. AKIN. I agree. It is a sacred relationship. How did the committee vote?

Mr. GINGREY of Georgia. They voted it down, Mr. Speaker. The gentleman asked a specific question. They voted a lot of great amendments down.

Mr. AKIN. What I have got here in my notes, it says the Democrats, 32 voted against it, one voted for it. Republicans, 23 voted for it, none of them voted against it. So it is a straight party-line vote, with the exception of one?

Mr. GINGREY of Georgia. Mr. Speaker, there was maybe one or two exceptions in the vote. They have 36 members on the Energy and Commerce Committee. I say "they," Mr. Speaker.

The majority party. They were assigned to that committee by the Speaker of the House, Ms. PELOSI. And we have 23 Republicans. So it is 36-23.

Mr. AKIN. So your amendment failed then?

Mr. GINGREY of Georgia. Absolutely it did, as did all the other amendments. You might say, Mr. Speaker, that the deck is pretty well stacked against us.

Mr. AKIN. Okay. But when it failed, what does that say to us if you are worried about bureaucrats making health care decisions? Does that give you any sense of comfort?

Mr. GINGREY of Georgia. Mr. Speaker, the question, does that give you any sense of comfort that bureaucrats won't come between the doctor and his or her patient, it gives you total discomfort, is the answer to that question. Otherwise, we would have had almost a preponderance of members, both Republicans and Democrats, voting in favor of that amendment. Surely some, more than one or two, felt that way, but they didn't vote that way.

Mr. AKIN. I really appreciate, doctor, your offering this amendment, because I think this, if there is ever any indication of where this health care is going and why the American public is concerned about it, this would be one of those things. Because we are talking about promises on the one hand that you can keep what you have and your doctor-patient relationship is good and don't worry about that; 100 million people in America have their own insurance and their own doctors and providers and they feel like they are getting pretty good health care. And yet here, this amendment says that.

We are joined by a fantastic Congresswoman, Congresswoman LUMMIS. I would be happy if you want to jump in here.

Mrs. LUMMIS. I do, and I thank the gentleman from Missouri for allowing me to. I was sitting in my office in the Longworth Building listening to this discussion, and my fellow freshman colleague, the physician from Louisiana, was talking earlier about Medicare and the effects of \$350 billion of waste, fraud and abuse coming out of Medicare to magically fund a big portion of the proposed health care bill that Ms. PELOSI and her colleagues have prepared for us.

Mr. AKIN. Let's talk a little bit. What part of Medicare did that come out of? Did you happen to notice that? I mean, is there any line item that says waste, fraud and abuse in Medicare that you can just take money out of? How do we do that?

Mrs. LUMMIS. You know, there certainly isn't. And the most amazing thing to me about listening to that discussion is, when I was home for the August work period, I met with the physicians and administrators at Wyoming Medical Center in Casper, Wyoming. They told me that they are currently reimbursed at 37 cents on the dollar for their actual out-of-pocket costs of treating a Medicare patient.

Mr. AKIN. Let me stop. That is an incredible number. In other words, we have a doctor like Dr. GINGREY, Dr. FLEMING, and they accept a patient on Medicare. It costs them \$1 to provide some type of medical care. They are getting reimbursed how much? \$1.50?

Mrs. LUMMIS. No.

Mr. AKIN. \$1?

Mrs. LUMMIS. No.

Mr. AKIN. How much?

Mrs. LUMMIS. Thirty-seven cents.

Mr. AKIN. Thirty-seven cents out of a dollar. So they are losing money on a Medicare patient.

Mrs. LUMMIS. They are losing roughly two-thirds of every dollar that they spend.

Mr. AKIN. So we are going to cut \$500 billion out of Medicare and expect doctors to continue to do that? I don't understand how that is supposed to work.

Mrs. LUMMIS. It is a stunning departure from rational thinking.

Mr. AKIN. I think that is a great phrase, "a stunning departure from rational thinking." You know, I think we are seeing a little more of that than we need down here. You are such a nice person. That is a nice way to say being stupid, isn't it? In Missouri, we are not very good at explaining things. I wish I was as politically correct as you are.

I see my good friend, Congressman KING from Iowa, over here, and he is having way too much fun. I think we have to let STEVE have a chance at chatting with us for a minute.

Congressman KING, somebody who is known for calling things plain and straight talk, I appreciate your midwestern perspective. Please join us.

Mr. KING of Iowa. All those compliments some might argue are a stunning departure from rational thinking, Mr. AKIN, and I am glad I came over here just to hear that exchange between you and CYNTHIA LUMMIS tonight.

I am sitting here thinking this: That there is a great, huge philosophical divide going on in this Congress, and the people on the left side of the philosophical spectrum and the left side of the aisle seem to believe somehow they can generate all of this government, all of this government oversight, and take on a huge operation of the job that is being done now, a lot by the private sector, punish the health insurance companies, replace them with a Federal health insurance company, and somehow the incentive that is there today that has allowed some profit for doctors to get back their huge investment in their education and their training and their internships and nursing and all of the expenses it takes to have a front-loaded education, somehow there is going to be an incentive there to have more doctors and more nurses, when we know it is going to be less.

They cut the funding to Medicare by half a trillion dollars and argue that it is waste, fraud and abuse, and somehow the President makes the argument that, let's see, he can find this savings

that is there because of waste, fraud and abuse, but the quid pro quo is we don't get to save the wasted money unless we take on the socialized medicine part of his package.

Mr. AKIN. Isn't that amazing? We have two medical doctors here, Dr. FLEMING and Dr. GINGREY, and we have been really leaning on our medical doctors. I guess the question I have is, I have been here 9 years, and over this period we passed some bill, I don't know how many years ago, that says we are going to keep ratcheting down how much money we are spending on Medicare, and it obviously isn't working, if you take a look Medicare growth and costs. And every year we do the Medicare patch so the doctors aren't going to go bankrupt all the time, or at least so they will keep taking Medicare patients.

So it seems to me when we do the patch, we are putting more money into Medicare, and now we are talking about taking \$500 billion out of it. This thing somehow, Dr. GINGREY, do you want to address that for a minute, or Congresswoman FOXX?

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Mr. GINGREY of Georgia. Mr. Speaker, I will be glad to take some time from the gentleman from Missouri, and then I will be glad to yield back to him so he can let our family practitioner, the gentleman from Louisiana, Dr. FLEMING, also speak on this issue.

But yes, this sustainable growth rate formula—and it's very complicated. I've had six courses of calculus at Georgia Tech, and I still can't quite figure out how they come up with these numbers—is flawed, and everybody knows it's flawed and needs to be done away with. You can't fix something so badly flawed. For the last, I would say, 5, 6 years when they calculated that formula, the doctors end up taking a cut in something that already is underpaying them. It doesn't cover their basic expenses. It's calculated far differently from the way hospitals are reimbursed.

Mr. AKIN. Every year we're patching that, though, aren't we?

Mr. GINGREY of Georgia. Mr. Speaker, the gentleman is right in his comment, that every year we're patching it. And that's no way to run a bank. That's no way to do business. You patch it, and yet then the next year you take the cut for that year plus the patch that you removed. So you essentially have 5 percent for the patch and 5 percent for the current year. In fact, on January 1, 2010, the doctors, if we don't do something about it, will take a 20 percent cut.

Mr. AKIN. How many years can you practice medicine—let's say our salaries were cut 20 percent every year. How long would we be doing what we're doing? I mean, that's a tough deal. So we're cutting this. We keep adding money to it to prevent that cut from taking place, and now we're going to take \$500 billion out of Medicare and everything is going to work fine?

Dr. FLEMING, what do you think about that?

Mr. FLEMING. Well, I will just briefly comment, because I know we have got other speakers here who are anxious to get on the record tonight.

The whole concept behind SGR, sustained growth rate, is that the government in its infinite wisdom said, Well, out in the future someplace, we're going to spend no more than this many dollars, and the doctors are going to have to get together amongst themselves—the hundreds of thousands of them—and decide how they're going to do that. Of course the obvious thing occurred. How in the world are doctors and hospitals going to be able to do that? Anybody under part B.

Mr. AKIN. Is this a conference call? You're going to have a conference call?

Mr. FLEMING. As far as I know, I was never invited to a conference call. I have never received an e-mail about it. I just went along, practicing everyday, like my colleagues do. All of a sudden we are told, we're spending above the SGR rate. It goes back to exactly what our debate is today. We can pick and choose a number out there in the future that's going to be a goal, and we are going to practice and spend less than that amount. But that does not affect the day-to-day behavior inside the exam room, which is, again, why our bill H.R. 3400 is so important because it gets to the behavior and the decision-making between the doctor and the patient. That is where the money is saved. Not in some conceptual decision made out in the future that we're going to spend only this many billions of dollars next year or the coming years.

And that's why the SGR is an abysmal failure. Of course we all know that it's really a joke. We do a patch every year, but it never would work, and it never will work.

Mr. AKIN. I appreciate your response as a medical professional on that, and the fact that it's going to be awfully hard if year after year we're putting more money into Medicare to try and prop it up. As Dr. GINGREY has said, that's no way to run a ship. And that's true. But we're constantly putting more money in it, and all of a sudden we're being told by the President that he is going to take \$500 billion out of it because it's waste, fraud and abuse; he is going to put it into this program, and there is not going to be a nickel of deficit involved in that.

Another claim that the President made—and I have been sticking a little bit on the theme of, there's a lot of debate over what's true. This guy says this, somebody else says that, and America is arguing about this stuff. What our objective is is to try to add some kernel of truth to one of these things.

Here's another statement. First, if you're among the hundreds of millions of Americans who already have health insurance through your job, Medicare, Medicaid or the VA, nothing in this

plan will require you or your employer to change the coverage of the doctor you have. Now we've heard this over and over from the President. We've heard it from different Democrat Congressmen claiming this, and yet this isn't really true, from what we're seeing, as we take a good, closer look at it.

The first thing that strikes me is, if you are among the hundreds of millions of Americans who already have health insurance—in other words, you have 100 million Americans who already have health insurance, and you like it, you like your doctor-patient relationship, and you are saying, Hey, just leave me alone, what's the objective? Well, the objective is to find some other number of people who don't have health insurance. So how many is that? We have an expert on that here in Congressman KING. But let's just be very liberal. Let's say the President, who said originally it was 46 million, now he is going to take it down to 30 and probably if you looked at it closer, it's less than that. But let's say even if there were 30 that didn't have health insurance, and you have hundreds that have, why are you going to scrap the hundreds right off the bat in order to deal with the 30?

Mr. KING of Iowa. If the gentleman will yield, and I thank the gentleman from Missouri.

There have been two flawed premises that have been under the foundation of this health care debate from the beginning. One is that we spend too much money on health care. That has not been adjusted for a number of reasons. The other is we have too many that are uninsured. The number that's the most consistent is 47 million uninsured. But when you break the number down, you start subtracting from that 47 million, those that are here illegally—which the President has decided now, he's changed his mind and now he doesn't want to fund those—those that are here legally are under the 5-year bar; those that make over \$75,000 a year and presumably could pay their own premiums; those that qualify for an employer plan; and those that qualify for a government plan, like Medicaid, but don't bother to sign up. Once you take 47 million and you subtract from that universe, that list that I have given, you end up with 12.1 million who are Americans without affordable options.

Mr. AKIN. Reclaiming my time, my first point, when you read this, if you have hundreds of millions who already have health insurance, you're going to tamper with all of this to deal with 12 million?

Mr. KING of Iowa. To deal with less than 4 percent, which is 12.1 million.

Mr. AKIN. So less than 4 percent. We're going to redo the whole system to deal with 4 percent. Even on the surface, it doesn't seem intuitively obvious to the casual observer that that's the way that you might deal with this thing.

Congresswoman FOXX.

Ms. FOXX. I thank the gentleman for yielding.

I wanted to speak to what you started out talking about tonight, along with this comment. What are we to believe on all of these issues? There are lots of numbers being thrown around, lots of comments being made. First of all, let me give a statistic that I know of. Eighty-nine percent of those people that you talk about are happy with their health insurance.

Mr. AKIN. So you are saying of Americans in general, 89 percent are saying, We're pretty comfortable with what we've got.

Ms. FOXX. Right. The ones who have health care coverage.

But the point I wanted to make tonight is something that has just been coming out in the last day or two about what's happening in terms of informing the American public about what—

Mr. AKIN. This is the area that's kind of sacred to Americans, the idea of free speech, that you can have your opinion, you can disagree with a family member or a neighbor. But we can have this debate and this discussion, and we're not going to hide information.

Is that what you are getting at?

Ms. FOXX. That's right.

There is an organization called Humana which provides health insurance, primarily the Medicare Advantage Program, to seniors all over this country.

Mr. AKIN. So we've got Humana. It's a health insurance company provider, and it's particularly working with Medicare money and packaging that money into more of like a private medical plan type thing?

Ms. FOXX. Correct. The Medicare Advantage Program.

The Humana organization sent a letter out to the people who participate in that program, saying, We want you to be aware of what's happening in this health care debate. We'd like you to send back a card so we can send you information about what's happening. We do want you to know that the current bill under consideration—they don't name H.R. 3200, but we assume that is the bill they were talking about—will be cutting funding for this program. Well, that is absolutely true. Anyone who reads that bill will see that it's true.

Mr. AKIN. So specifically, the bill that's being proposed by NANCY PELOSI—and indirectly by the President—is going to cut Medicare. Specifically in Medicare, it's going to cut Medicare Advantage, and Humana works with that. I just want to make sure we get this down.

Ms. FOXX. Sure.

And this is a program that seniors like very much. Well, where the rub comes in is suddenly the organization, the Centers for Medicare & Medicaid Services, doesn't like the fact that Humana is exercising its free speech options and educating the people that are being covered by its program and

writes to them and says, You cannot do this anymore. You can't write letters to the people participating in your program. It says, "We are instructing you to immediately discontinue all such mailings to beneficiaries and to remove any related materials directed to Medicare enrollees from your Web sites."

Mr. AKIN. Wait, wait, wait. Stop again. I feel like I have just blasted off and gone to some other country or some other planet.

Ms. FOXX. You're living in 1984.

Mr. AKIN. You are saying that we have a private company who is insuring people. They write a letter to the people that are buying their product and say to them, essentially, you're being targeted by NANCY PELOSI's health care bill. So they are a constituency, they are a group of Americans who have a right to have an opinion. Obviously they're somewhat predisposed to like it because they wouldn't be in the program if they didn't like it, and they're being told, Your program is going to be cancelled. The program you like in Medicare is going to be canceled. So they're warning their people that are buying their product, Look out. You're about to lose something. If you like it, you're going to have to say something about it.

And now the government is threatening Humana for communicating?

Ms. FOXX. That is absolutely true.

Mr. AKIN. I don't know if we have even got a First Amendment anymore.

Ms. FOXX. Mr. Speaker, I would like to enter into the record of this discussion tonight the letter from Humana to its enrollees, the letter from CMS, and the CMS press release that was sent out related to that.

Mr. AKIN. I appreciate your sharing that. I guess I appreciate it. I think it's a little bit chilling. I mean, the President said something about calling us out. That sounds like something my principal did to me all the time when I was, you know, talking or chewing gum or something.

Going to Dr. GINGREY, have you heard about this situation? This is kind of a little spooky—that you can't send people a letter in America?

Mr. GINGREY of Georgia. Mr. Speaker, the gentleman asked me the question if I had heard about that. And absolutely I have heard about it. It's amazing, isn't it, that what we hear from the leadership in the majority party and from 1600 Pennsylvania Avenue is that everybody that is questioning H.R. 3200, or the bill that came out of the Health Committee in the Senate and has great concerns about whether illegal immigrants are going to be covered, whether the general taxpayer, whether they are pro-life or pro-choice, is going to have to pay for subsidies that low-income people get through the exchange if they choose a plan, either a government plan or a private plan, that offers abortion services. It's in the bill. I mean, it's clear language. And yet we're just getting all wee-wee'd up, according to certain

sources, because we don't understand. It's like the only people that are telling the truth are the White House and the Democratic majority party. Everybody else is lying. It's absolutely insulting.

Mr. Speaker, that's why the people in the town hall meetings were so wee-wee'd up. They're tired of being insulted by these people that have all the power, all the power in the White House and both Chambers of Congress.

Mr. AKIN. Wait a minute. I am still coming back to this deal where you are a business and you are writing a letter to the people that you're providing a product to, and the government tells you you can't send a letter to them and you have to take it off your Web site? Is this 1984? I mean, what is this, George Orwell or something? I find the whole pattern here to be upsetting. I really do.

My friend from Iowa, are you running away on us here? I was just about to recognize you, gentleman. Did you want to jump in on this?

Mr. KING of Iowa. I appreciate the gentleman yielding. A number of things jump out in my mind, and that is, yes, this subject matter gets me all animated. I don't know quite how to pick that up with Midwestern vernacular. I wanted to point out the President's vernacular. We have to be very careful and listen very closely to this President because he is a master of casting ambiguities that couch things in terms where he is not confined by the definition of the language.

For example, right there, "Nothing in this plan will require you or your employer to change the coverage of the doctor you have." Remember for months he said, "If you like your plan, you get to keep it." And John Shadegg said, "If you like your plan, get ready to lose it. That's the reality of it."

Now the President, in his address before Congress—which I will point out was I believe September 9, 2009—the President changed the language to read what's down there, "Nothing in this plan will require you or your employer to change the coverage or the doctor you have," except you may not be able to access coverage or the doctor you had because the plan might bring about a change in premiums, it might disqualify the policies, it might disqualify the very health insurance company. And so nothing in the plan might require you to change, but you may not have the option to keep the one you have because they have eliminated the existing policies.

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Mr. AKIN. Yes, Gentlemen, this was the President's claim.

So we hear this one claim on one side. Now, what is the balancing counterclaim? Well, here is one. This is a poor guy from MIT who wishes he hadn't said it because he was attacked for making this statement:

With or without reform, that won't be true. This is about this statement.

He says, That won't be true. His point is that the government is not going to force you to give up what you have, but that's not to say other circumstances will not make that happen.

So, in other words, he can say you can keep what you've got; but in fact what happens is, just like in the funding for higher education, the government comes in and changes everything, and you don't have access to it anymore.

Please, the gentleman from Iowa.

Mr. KING of Iowa. Again, listen carefully to the words the President says. Here is a little bit of a different subject.

After the blowup on that night of September 8, which was the joint session of Congress, regarding the issue about funding illegals through this, the President then came back, and he said, "I want to be clear: If someone is here illegally, they won't be covered under this plan."

In other words, he is going to oppose any language that's ambiguous that might allow for illegals to be covered under H.R. 3200 or under another health care plan.

However, just a few days later, the President went before an open borders organization, which I recall to be La Raza, and he said, Well, we need to move forward on legalizing the people who are here illegally.

So we have this language that says, if someone is here illegally, he won't be covered under this plan; but if you legalize everybody who is here, this language here becomes moot. So listen carefully to the ambiguities that the President threads into his language, and you might find out well after the fact that it's a little late to raise the issue.

Mr. GINGREY of Georgia. If the gentleman would yield for just a second on that point.

Mr. AKIN. I yield.

Mr. GINGREY of Georgia. The gentleman from Missouri, thank you.

Mr. Speaker, I want to respond to my good friend from Iowa because he's absolutely right. The President did make the comment of, hey, you know, this problem will go away. All we have to do is grant amnesty to 12 million illegals, and then we won't have this problem, and they'll all be eligible for government subsidies under the government plan or under the exchange or whatever.

He did say, Mr. Speaker, emphatically that there should be a provision in H.R. 3200—if that happened to be the bill, and I hope it won't be. He said that he agreed that there ought to be an absolute provision that specifically states that before people are eligible for any of these government subsidies they have to have proof of their legality, not citizenship, but proof that they're in this country legally. That proof, he said, speaks for itself. I'm paraphrasing what the President said, but he was pretty emphatic.

I yield.

Mr. AKIN. I would just like to jump to the record here. This is the August 8 speech:

There are those who claim that our reform effort will insure illegal immigrants. This, too, is false.

He is saying people are saying things that are false. That's pretty close to calling them something else. They're saying things that are false.

The reforms I am proposing would not apply to those who are here illegally.

This is a statement that he made. Is it true or is it not? Well, one of the ways that you can check it out is to take a look at the bill. Another way that you can do it is to hire a group of legal scholars who works for Congress, called the Congressional Research Service. They're not Republicans. They're not Democrats. They looked into this statement. What did they find in this?

Under 3200—this is PELOSI's health care bill—the health insurance exchange would begin operation in 2013, and it would offer private plans alongside a public option. Then he goes on: 3200 does not contain any restrictions on noncitizens, whether legally or illegally present or in the United States temporarily or permanently, participating in the exchange.

In other words, in spite of the fact that the bill says this shouldn't apply—and there is actually language that says it shouldn't apply to illegals—in practice, when you turn the bill on, there's no screening mechanism.

Mr. GINGREY of Georgia. If the gentleman would yield, don't take that poster down just yet.

If you'll notice, Mr. Speaker, on that poster, it is dated August 25, 2009. In the Energy and Commerce Committee, H.R. 3200 passed committee on July 30, 2009. So this is an opinion rendered by CRS almost a month after that bill passed committee.

Mr. FLEMING. If the gentleman would yield.

Mr. AKIN. I yield to Dr. FLEMING.

Mr. FLEMING. There were also attempts by my friends, Dr. GINGREY and others, to actually say, well, okay, if this is fuzzy language and if we're going to debate this and say it's ambiguous and if some say it does cover illegals and some say it doesn't, let's just settle it by putting an amendment into the bill that will settle that for good.

Mr. AKIN. Reclaiming my time, if the objective is that we're not going to cover illegals, if that's the objective, you are saying let's make it clear to everybody. We'll put a simple sentence or couple of sentences in the bill, and we'll make it clear that we're not going to cover illegals, and that's offered as an amendment.

Mr. FLEMING. Yes.

Mr. AKIN. How did that go as an amendment? Did it pass? I assume it passed.

Mr. FLEMING. My understanding is the amendment failed according to party line.

Mr. AKIN. A party-line vote again?

Mr. FLEMING. Yes.

Mr. AKIN. So we have the President saying we're not going to be covering illegal immigrants. In fact, the bill from a completely unbiased source says there is nothing in it to protect against that, and the amendment to specifically prohibit it was defeated on a party-line vote. So that's why there's some tension on this subject, isn't there?

Mr. FLEMING. Yes.

Mr. AKIN. One person is saying something, and it isn't all necessarily so.

Mr. GINGREY of Georgia. If the gentleman would yield for a clarification.

Mr. AKIN. I yield.

Mr. GINGREY of Georgia. On that very point that Dr. FLEMING made, Mr. Speaker, in regard to the amendment:

Back in July, during that 2 or 3 days of markup, that amendment was offered by my colleague from Georgia, the ranking member with 17 years' experience on the Health Subcommittee of Energy and Commerce. He offered that very same amendment, and it was rejected on party line.

Mr. AKIN. Reclaiming my time, I appreciate, Doctors, your help. We have just a couple of minutes before I have to close, and I would like to correct one other thing. It's an assumption that has been kind of hidden in this debate over the months, which is that American health care is really cruddy and terrible and that it has to be totally torn down and rebuilt.

Now, this summer, while we were debating this, my dear father, who is 88 years old, went to a heart doctor. His original heart doctor had been diagnosed with cancer, and he retired. He goes to a new heart doctor.

The heart doctor says, What has the doctor done for your heart?

Dad says, Well, I'm getting these medicines.

He said, But what did you do? Well, come in, he says, for a stress test.

He went in for the stress test. Within a couple of days, he had scheduled an angioplasty. My father was put under anesthetic. They went in and looked around with their little camera. He came back out. They hadn't done anything. They called us in the office. I was with my dad on Monday. He's 88 years old.

The doctor says, You need open heart surgery.

He says, What are the numbers?

The numbers are these, he said. There's a 10 percent chance for a major complication in open heart surgery. If you don't get it, there's a 50 percent chance you're going to have a major heart attack.

So I'm sitting there with my dad and my mom in the office. The doctor says, When can we schedule surgery?

He said, Tuesday or Thursday.

That is tomorrow or two days. So we scheduled surgery. My dad had a seven-way heart bypass. He was home from the hospital on Saturday. The whole

process took about 2 weeks, 2½ weeks, and he's doing fine. That's the miracle of American medicine.

Let me explain one thing, which is, if you're some sheikh in Bahrain with unlimited money, where do you want to go to get your health care? To the good, old USA.

I say to you doctors, Hats off for the great health care that you provide. Yes, there are some things that we can do to improve it, but it doesn't mean we have to burn the entire barn down.

Mr. FLEMING. Will the gentleman yield?

Mr. AKIN. I yield my last minute or so.

Mr. FLEMING. Some might say that that's anecdotal, but let me point this out: for all cancers, 66.3 percent of American men and 63.9 percent of American women survive. In Europe, it's 47.3 and 55.8. So we're not talking about just a single story like you gave, which, I think, is representative. What we're talking about across the board are statistically significant differences in cancer survival rates in the U.S. versus Canada versus Europe.

Mr. AKIN. Let's do that statistic one more time, and we'll probably have to close up with that.

In the U.S., your survival rate is 60-something percent overall.

Mr. FLEMING. For all cancers it's 66.3 for men and 63.9 for women.

Mr. AKIN. Okay. This is over 5 years?

Mr. FLEMING. Yes, versus Europe, which is 47.3 percent.

Mr. AKIN. So, if you've got cancer, you'll want to be in the good, old USA then.

Mr. FLEMING. Absolutely.

Mr. AKIN. Yes.

I very much appreciate your all joining us tonight. I thank my colleagues and the American public for continuing this discussion on health care.

God bless you all. Thank you.

DEAR ____: With the media reporting daily on Congress' and President Obama's efforts to enact meaningful health reforms this year, many Humana Medicare Advantage (MA) members are contacting us with questions. Members just like you want to know what these reforms might mean for their Medicare health plan and how they can get involved to help protect Medicare Advantage.

We are working diligently to ensure that our nation's leaders understand how proposed reforms might affect you. At the same time, we have created the Partner program to keep you informed about proposed Medicare changes and help you get involved so your voice is heard in Washington. Your opinions matter to us, to others on Medicare, and to your elected officials. There are two things you can do now to help show Congress the importance of Medicare Advantage:

Opt into the Partner program. Becoming a Partner is easy. Just complete the accompanying, postage-paid form and follow the instructions to fold and mail it back. As a Humana Partner, you will join more than 50,000 Humana Medicare Advantage members who are receiving information about this issue and learning how to get involved to protect your Medicare health plan coverage.

Let your Members of Congress know why Medicare Advantage is important to you.

Congress is considering significant cuts to Medicare Advantage now, and your Members of Congress will want to know why this program is valuable to you because these cuts could mean higher costs and benefit reductions to many on Medicare Advantage.

We've made it easy for you to have your voice heard. Just call (877) 698-9228 (toll-free) or visit www.humanapartners.com for additional information about this issue and how you can offer helpful input to your elected officials.

Leading health reform proposals being considered in Washington, D.C., this summer include billions in Medicare Advantage funding cuts, as well as spending reductions to original Medicare and Medicaid. While these programs need to be made more efficient, if the proposed funding cut levels become law, millions of seniors and disabled individuals could lose many of the important benefits and services that make Medicare Advantage health plans so valuable.

On behalf of Humana's 28,000 employees, I would like to thank you for being a Humana member. We look forward to partnering with you to ensure the Medicare Advantage program remains strong, so you can have peace of mind about your health coverage—now and in the future!

Regards,

PHILIP PAINTER, M.D.,
Chief Medical Officer,
Humana Medicare.

DEPARTMENT OF HEALTH & HUMAN
SERVICES, CENTERS FOR MEDICARE
& MEDICAID SERVICES, CENTER
FOR DRUG AND HEALTH PLAN
CHOICE, BALTIMORE, MD.

MEMORANDUM

Date: September 21, 2009.

To: All Medicare Advantage Organizations, Medicare Advantage-Prescription Drug Organizations, Cost Based Organizations and Demonstration Plans.

From: Teresa DeCaro, RN, M.S./s/, Acting Director, Medicare Drug and Health Plan Contract Administration Group.

Subject: Misleading and Confusing Plan Communications to Enrollees.

CMS has recently learned that some Medicare Advantage (MA) organizations have contacted enrollees alleging that current health care reform legislation affecting Medicare could hurt seniors and disabled individuals who could lose important benefits and services as a result of the legislation. The communications make several other claims about the legislation and how it will be detrimental to enrollees, ultimately urging enrollees to contact their congressional representatives to protest the proposals referenced in the letter.

Our priority is ensuring that accurate and clear information about the MA program is available to our beneficiaries. Thus, we are concerned about the recent mailings as they claim to convey legitimate Medicare program information about an individual's specific benefits or other plan information but instead offer misleading and/or confusing opinion and conjecture by the plan about the effect of health care reform legislation on the MA program and other information unrelated to a beneficiary's specific benefits. Further, we believe that such communications are potentially contrary to federal regulations and guidance for the MA and Part D programs and other federal law, including HIPAA. As we continue our research into this issue, we are instructing you to immediately discontinue all such mailings to beneficiaries and to remove any related materials directed to Medicare enrollees from your websites. If you have any questions about whether plan communications comply

with the MA program requirements and guidance and federal law, we urge you to contact your Regional Office account manager.

Please be advised that we take this matter very seriously and, based upon the findings of our investigation, will pursue compliance and enforcement actions.

DEPARTMENT OF HEALTH & HUMAN
SERVICES, CENTERS FOR MEDICARE
& MEDICAID SERVICES, OFFICE OF
MEDIA AFFAIRS, WASHINGTON, DC.

MEDICARE ISSUES NEW GUIDANCE TO
INSURANCE COMPANIES ON MEDICARE MAILINGS

Medicare today called on Medicare-contracted health insurance and prescription drug plans to suspend potentially misleading mailings to beneficiaries about health care and insurance reform. The Centers for Medicare & Medicaid Services (CMS) recently asked Humana, Inc. to end similar mailings. Humana has agreed to do so.

"We are concerned that the materials Humana sent to our beneficiaries may violate Medicare rules by appearing to contain Medicare Advantage and prescription drug benefit information, which must be submitted to CMS for review" said Jonathan Blum, acting director of CMS' Center for Drug and Health Plan Choices. "We also are asking that no other plan sponsors are mailing similar materials while we investigate whether a potential violation has occurred."

Humana is one of a number of private health plans that contracts with CMS to offer health care services and drug coverage to Medicare beneficiaries as part of the Medicare Advantage and Part D programs. CMS learned that Humana had been contacting enrollees in one or more of its plans and, in mailings that CMS obtained, made claims that current health care reform legislation affecting Medicare could hurt Medicare beneficiaries. The message from Humana urges enrollees to contact their congressional representatives to protest the actions referenced in the letter.

"We are concerned that, among other things, the information in the letter is misleading and confusing to beneficiaries, who may believe that it represents official communication about the Medicare Advantage program," said Blum.

Specifically, CMS is investigating whether Humana inappropriately used the lists of Medicare enrollees for unauthorized purposes.

Based on the findings of the investigation, CMS will pursue appropriate compliance and enforcement actions.

THE 30-SOMETHING HOUR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Connecticut (Mr. MURPHY) is recognized for 60 minutes as the designee of the majority leader.

Mr. MURPHY of Connecticut. I thank the Speaker for granting us this time on the House floor this evening.

I hope to be joined very shortly by a few other of my colleagues who are also from the 30-something Working Group. As our colleagues know, this group comes down to this floor on a regular basis to talk about the issues that matter, not just to our constituents or to the American people but, in particular, to young families out there.

We are also to be joined this evening by a few other Members who care deeply about this Congress' commitment to

health care reform. This is the defining subject of this moment in Congress. It is the defining moment for our constituents when we're back home, and rightly so.

Mr. Speaker and my colleagues, when I was home for August, I went out there and talked to the people I represent in every forum possible. I spent early mornings in the dew of village greens. I did town halls in the evenings. I set up a card table outside supermarkets, and talked to health care professionals, nurses, doctors, and patients.

Listen, we certainly saw in Connecticut the disagreement over the solution just as we saw it all over this country, but we had an agreement that something had to be done. The current system is unsustainable. Now, there is not that kind of agreement here in Washington. I hear too many of my colleagues on the other side of the aisle and groups that are affiliated with that party talking about the system being okay as is and talking about the lack of need for any real reform.

Well, in Connecticut, at the very least, we understand the need for reform. We saw it plainly earlier this year when the State's major insurer, which covers over 50 percent of the individuals in Connecticut, proposed a 30 percent increase on individuals and small businesses. Now, thanks to government, thanks to the State of Connecticut's regulatory system, it looks like we're going to be able to push that increase down to 20 percent. Think of that. Think of the impact of a 20 percent 1-year increase in health insurance premiums for individuals in Connecticut who are struggling to get by.

The fact is that most people in my State and across the Nation who don't have health care insurance today and who are purchasing on the individual market, frankly, are struggling to get by. These are folks who are either running their own businesses, who are self-employed or who work for an employer who doesn't provide health care benefits. Those folks cannot take a 20 percent increase. Neither can the small businesses that are being charged those premiums as well.

Study after study shows us that small businesses bear the brunt of the costs in our health care system. On average, a small business is paying 18 percent more in health care premiums than are large businesses. It's simple economics. I didn't get past econ 101 in college, but I learned enough to know if you're a small business that's purchasing anything, staples, paper or health care, on behalf of only 5 or 10 or 20 employees, you're just not going to get the same deal as a company that's purchasing it on behalf of 100 or 1,000 or 10,000 employees. So it's the small businesses in today's marketplace which are getting hurt the most just as individuals are getting hurt the most.

So, in Connecticut, I think we're representative of most folks and of most businesses across the Nation. They

know that this current system just doesn't work for people. We're not talking about tinkering around the edges. We're talking about comprehensive, bottom-up reform to make this market work again for families, for individuals and for businesses.

In Connecticut, we have seen over the last 10 years an increase of 120 percent in the premiums that small businesses have been paying. During that same time, wages for their employees have only gone up about 30 percent. Now, that's not a coincidence. The fact is that the costs of our health care system are sometimes invisible to employees and to workers because they result in a lack of wage increases. They result in a contraction of pay for those Employees.

□ 2045

When a business is making a little bit extra money in 1 year, too much of that additional income is going simply to pay those 10 or 20 percent increases in health care premiums. The result is that the workers of those businesses get a zero percent pay increase or get a 1 percent or a 2 percent pay increase. All the extra money the companies are making is going to health care. That's not sustainable either.

On the other end, we have got to ask what we are getting for all of this money. It would be one thing if we were paying in for the most expensive health care system in the world—and it's the most expensive health care system in the world, not by 5, 10, 20 percent, by 100 percent. We are paying twice as much for health care in this country as any other industrialized nation in this world.

For one thing, if we were getting the added quality, maybe, maybe my friends on the Republican side of the aisle who are so defensive of our current health care system, who are so complimentary of the current health care arrangement in this country, maybe they would have a little bit better defense if all of this money that they are so proud that we are spending on health care today got us better results. But the fact is it doesn't.

Yes, if you have access to the best health care centers in this country, to the best hospitals and the best doctors, you can absolutely, absolutely get better care. You can absolutely get the best health care in the world. I don't deny for a second that there are people from all over this world that are coming to those top centers of care in this country. But the fact is not enough people have access to those centers of excellence. There are too many people who can't get into the best of our health care system.

It means, when a group like the World Health Organization surveys the quality of health care in the United States and all of our economic competitors across the globe, we turn out to be in the middle of the pack. Any health care indicator you look at, life expectancy, hospitalization rates, in-

fant mortality, infection rates, we rank 10, 15, 20. For all of the money that we are spending in this country, we should be at the top of the list regarding outcomes. Our health care system should be the best in the world.

This debate around health care reform has to encompass all of those problems. This debate has to start with cost, about how we get at making sure that never again the people in my district see a 20 percent or 30 percent increase in health care costs in one given year.

This debate has to get to a point where businesses can make extra money in one particular year and pass that extra income along to their employees rather than to insurance companies. This debate has to address the quality gap between those who have access to the best of our system and those that can't get there. We should be at the top of those lists that the World Health Organization puts out, not the middle or the bottom.

That's why Band-Aids aren't going to work. In the Energy and Commerce Committee, my Republican friends today unveiled maybe what is one of their first detailed proposals for an alternate to the effort that the President and this Congress are putting forth. It was nothing but a series of Band-Aid fixes on our current system, slight tweaks to the system of private insurance that has gotten us into the problem that we are in today.

Republicans had control of this House for 12 years. During those 12 years, that's the strategy that they employed. Empower the private market, tweak and change the current private health care system here and there.

The jury is in on that approach. The evidence is set. During that time that our Republican friends controlled this House, insurance premiums skyrocketed. The number of people without insurance increased. Our health care system got more broken.

It is time to reset the competitive playing field. It is time to dramatically alter the rules by which insurance companies play. That's what we are talking about here today. No more incremental changes to our health care system that have proven to be ineffective, but serious reform that protects what we like about our health care system but fixes what is broken.

I hope that that's the debate that we will have here in this Chamber and in committees throughout this Congress. That's what we need. That's what the businesses in my district need. That's what the constituents in my district need.

Let's have a real debate. Let's have a debate on the facts, not based on innuendo, not based on distortions, not based on outright fabrications in this bill.

I listened to our Republican colleagues who had the previous hour talk about this issue regarding the access that illegal immigrants will have to the new health care system that we hope to build here. They talked about

an amendment in the Energy and Commerce Committee, which I sit on, that would, in their mind, restrict the access to the health insurance exchange or to the subsidies in the bill for the lower-income people so that it wouldn't accrue to illegal aliens.

They failed to mention that we passed that amendment. The Space amendment passed. Check it out, thomas.gov online, passed by the House Energy and Commerce Committee, which states in as plain English as you can make it—and I get it, a lot of the amendments in the bills that we passed here are pretty hard to understand, whether you are watching Congress or in Congress. But this thing was about as clean as you could make it, that nothing in this bill shall allow people who are in this country illegally to access subsidies, to access government programs like Medicare or Medicaid.

The existing law which requires verification of citizenship remains the same. Not a lot of talk.

Mr. KING of Iowa. Would the gentleman yield?

Mr. MURPHY of Connecticut. I yield for a moment, certainly.

Mr. KING of Iowa. I thank the gentleman.

I think we are talking about a different amendment. The amendment with the general language that says nothing in this bill, I believe was written into the bill, may have been an amendment that was adopted. But the amendment that Mr. GINGREY referred to was the Deal amendment, which would have required proof of citizenship. It failed by a vote of 29-28, not exactly a party-line vote.

Mr. MURPHY of Connecticut. Reclaiming my time, I thank the gentleman.

My point being that you don't hear a lot of discussion about the amendment that did pass, the amendment that is attached to that bill today, which states very clearly what the law is and which, I think, is one of the things that leads the President, when he appears before groups out in the public or before this Chamber, to state that the law is very clear on that issue.

I wish that we had a more honest discussion about the entirety of the debate in the Energy and Commerce Committee, which included the passage of a very clear and very restrictive amendment on that case.

This is, I think, one example of many in which we have got to start matching the facts of this proposal and this debate to the rhetoric that's out there today. I think if we can do that, I think if we can get by the political jibs and jabs of this debate, there is real substance here.

I will just close on this, Representative BOUSTANY, in response to the President's speech several weeks ago, talked about the fact that there is and can be agreement on a lot more than there is disagreement over. I think that many of us who went home for the break found out amongst our constitu-

ents that folks out there were arguing around the margins of this bill.

But on the guts of it, whether or not we have an obligation in some form or fashion to try to help people who don't have insurance today get insurance, whether or not we have an obligation to start holding insurance companies accountable for their actions, whether or not we have a responsibility to try to stimulate a competitive health care market that is in the majority of States today not competitive, I think there is agreement on a lot of that.

If we can start talking about what's really in the bill, talking about the amendments that passed, not just the amendments that didn't pass, start talking about what the words in the bill say rather than what the words of political pundits on the evening cable news shows say, I think that we can find some agreement here.

I am glad that our leadership, Mr. ALTMIRE here, in the House, has re-engaged the minority side. I am hopeful that the President is absolutely sincere in his intention to bring Republicans to the table. You see in the Senate Democrats and Republicans talking to each other about how they can forge a compromise here between the two sides.

There are absolutely going to be disagreements. Maybe in the end we can all come together on something. But if we listen to our constituents, if we listen to how very broken the health care system is in their eyes, small businesses, individuals and family, I think our mandate is not to put a Band-Aid on the current system, but to make major reforms that correct years of health care neglect from this body and this government.

I would be glad to yield to my friend.

Mr. ALTMIRE. I thank the gentleman from Connecticut, and I greatly appreciate the opportunity to participate tonight. We could certainly stand here and discuss the merits of the bill, and we will, the bill that has come before Congress already and the bills that we are trying to mold together and what we expect the end result to be. We can have a discussion on the need for health care reform in this country and the merits of the system that we have, what we can do better. We are going to have that discussion. But I did want to come down to agree with the gentleman.

I watched some of the previous hour and Members who I consider to be friends and I work with. I certainly don't question intent, but we did hear a lot of rhetoric that does not in any way match up with the facts of the issues that we are discussing.

I did not vote for the bill. I am not here to defend the bill. But when I hear Members come to the floor and talk about things that are not in the bill as though they are, and then hear them reference portions of the bill and greatly take out of context what they are talking about in that bill, I don't think that's a legitimate discussion on health care reform in this country.

I am someone who wants to pass a health care reform bill. I want to find a way to make it work. I thought the House bill that was before us could have been better. I am hopeful that we are going to make it better. But I don't want to engage in a discussion and talk about how somehow we are in the process of putting together a bill that's going to lead to illegal immigrants getting health care or death panels or some of the other things that we heard over the course of the recess. That's rhetoric that is misplaced.

I think, as the gentleman said, we do have the best health care system anywhere in the world if you have access to it. Our medical innovation, our technology, our research capability far exceeds anything available anywhere else in the world. That's true. And we want to preserve what works in our current system. There is no question about that. But there are things we can do better.

I don't know how many people there are on the other side that think we shouldn't do any reform. I would expect not many, but we should be able to agree on the fact that in large segments of society, people who have insurance, they have access to the best health care system in the world. That's not to say that we can't do better.

I want to engage in a dialogue of how we can improve upon the bill that was put forward. What can we do to achieve consensus, because in America that's where we end up. We start with an idea and we build to a consensus and we get something done. That's how legislation is passed.

It offends me when I hear rhetoric put forth that is just not consistent with the facts of what's in the legislation. And, again, I am not here to defend that bill, but I understand that some of the things that we heard are just not legitimate concerns.

We talk about what's the need for reform. I had an August where I went around and I talked to Rotary clubs and physician groups and hospital boards and went to all the fairs and had town hall meetings, everything that other Members of this House did. And one of the things that stuck out in my mind, I had, in a Rotary Club I was speaking at, a small business owner come up to me and handed me his statements from his previous 4 years, his rate increases, annual statement from the insurance company. The lowest increase he had over an annual period for 4 years was a 28 percent increase. That was the lowest in the 4 years.

He said to me, and he clearly was upset about it, that he was going to be unable to offer health care to his employees because he couldn't sustain this increase, 4 straight years of at least a 28 percent increase. He had to drop coverage. These are the things that we can't allow to happen in this country.

When you have the best health care system in the world, you want everyone to have access to it. We want our

small businesses to be able to offer coverage.

If you are a small business owner who can't offer health care to your employees, it's not because you are a bad person. It's not because you don't want to. It's because you can't.

□ 2100

You can't afford to do it. So we need to bring the costs down for small businesses. Every family in America has had a similar discussion around the dinner table to talk about the increased cost of health care, the impact that's having on their family. Some of them have to make very difficult decisions on what they can afford and what they can't to keep health care. But everyone understands that costs are going up at an unsustainable rate.

We all know the impact it has on government budgets, whether that be the Federal budget—but every State in America has experienced the State budget crisis that Pennsylvania has certainly experienced. And municipal budgets, with their health care costs. So it has an impact on governments at all levels. This is what we need to address when we talk about health care reform.

Mr. MURPHY of Connecticut. I thank the gentleman. I spoke a little bit about the costs that we don't see. As my friend from Pennsylvania knows as a former hospital administrator, the folks who don't have insurance today cost us money. We have a universal health care system in this country. You just don't get it until you're so sick that you show up to the emergency room.

Often, the care that you get in that emergency room when you become so sick or so ill that that's your only resort is the most expensive care that you could get. It's crisis care.

And so for folks out there that have insurance—and that's the vast majority of the people in my district and throughout this country—you're paying for the health care of those that don't have it today, and you're likely paying a lot more through taxes to your government that go to hospitals to pay for the uninsured, towards increased rates that you're paying in private insurance, that the private insurers pay hospitals to pay for the uninsured. You're paying more to pay for that crisis care than you would if we just got some preventative care for those folks.

Mr. ALTMIRE. If I could make a point before you leave that issue. This reminds me of a couple of things that I heard when I've been back in the district. One of them was a gentleman who clearly was uncomfortable with the health care reform bill as he understood it and told me all the reasons why we shouldn't do it.

The point he made was, Look, people who don't have health care, they get insurance and they get high-quality care. And he talked about his 15-year old nephew who had gone to the Chil-

dren's Hospital of Pittsburgh with a hip injury of some sort, and he didn't have any insurance. His family didn't have insurance. And he got the treatment. And it was great quality, the best he could get. He's fine now. Everything is great.

I said, Well, you said he didn't have any insurance. How did he pay for it? The gentleman said, Well, Children's Hospital paid for it. I said, No, that's not the way it works. You and I paid for it. That's how it works. And he said, What do you mean? And I'll explain what I mean.

But there was a similar story of a woman who came up to me at a meeting, and she was very upset—was not a fan of the President, or me—and told me all the reasons that she thinks we as a Congress are doing a bad job. And she was really getting herself worked up. And she said, And don't you dare take my money to give it to those people who don't have health care, because I've worked hard to get where I am. And I've earned everything that my family has. And we have insurance. And we deserve it. And if those people don't have it, well, that's too bad for them. That's not my problem.

The point of both those stories and what I said to both these people was, It is your problem. Because we can have a discussion about whether it's a moral imperative to offer coverage to people who don't have it. Is it our obligation as a country to make sure that whatever number of uninsured we can agree on, if it's 47 million or 31 million or 1, should we, as a country, have an obligation to cover those people?

That's an interesting philosophical argument, but I'll tell you what the moral imperative is. The moral imperative is that we, who are insured, the people that I was talking to, we're already paying for them. The moral imperative is we're subsidizing them right now. And the people who don't have insurance get their treatment and their health services in the most inefficient, most costly setting—the emergency room—which leads to increased rates for us.

The woman who I told you about who said that she didn't want to pay for other people's health care had an interesting story when I started to explain to her that she was already paying. She said, Oh, it's interesting that you mention that because, she said, she just had surgery done at a hospital in February and the insurance company denied part of her claim, and she had to pay \$18,000 out-of-pocket, and because she was paying for it, she read that bill very closely and she noticed everything cost a lot more than it should have.

So she called the hospital, she told me, and she said, Why does an aspirin cost \$10? Why does everything on this bill cost five times more than it should? And the hospital said to her, Well that's because we have so many people who come through here who can't pay at all, we have to shift those costs to make up for the difference

with the people who can pay. And she got it. And so did the gentleman who talked about the Children's Hospital.

The point of those stories is that's why we're going to pass a reasonable, rational bill that's going to improve the health care system in this country when all is said and done, because everyone in America, even those who have great concerns about this administration and this bill and those who are never going to support the administration or this Congress for political reasons, they have had a situation in their lives that has demonstrated for them why we can do better or how we can do better.

The woman I'm talking about with her \$18,000 bill—but everyone has had something happen. They had to wait 9 months for an appointment with the dermatologist. They had a bad quality experience with a nursing home for their grandparents. They're that small business owner who just had his fourth straight year of 28 percent increase in his rates. Everyone has had something happen.

We've all had to spend time on the phone, maybe upwards of an hour, haggling with an insurance claims adjuster who has just denied our claim or is arguing with us about that.

So when you hear these stories, and you hear about how we shouldn't pay for people who don't have insurance and that that's not our problem, it is our problem. We're already paying for them. What we're trying to do by reforming the system is making sure everyone has coverage that wants it in a rational way so that we're not going to subsidize them in the least efficient, most costly setting, as we do today.

Mr. MURPHY of Connecticut. Mr. ALTMIRE, this is a remarkable debate in the sense that many players even within the health care system that potentially have something to lose off of health care reform, that 15 years ago, during the Clinton health care reform debate, were fighting from the outside with torches and pitchforks to make sure that health care reform didn't happen, are part of the debate this time around. That you have the drug companies and the insurance companies and the doctors coming to the table—not everybody being holly-jolly about what's in this bill or what's in other proposals—but everyone at this point, after 15 years since the last major debate over health care, of almost complete neglect of the ills within our system, everybody realizes that there's need for reform.

Certainly our constituents do. But even those institutional players, some of which have gotten pretty fat off the existing system, know that this thing is broken and know that we have to fix it.

I think that they also see some real wisdom in the approach that we are building here. I've listened to Republicans and critics of health care give me story after story of how bad the Canadian system is, and the anecdotes

they've heard about people waiting in lines in England and France. I listened to all those stories. And I heard them at my town halls from people.

My response is: No one here is talking about importing some system from Canada or England or Europe or any other country. We're talking about developing a uniquely American solution to what is, unfortunately, a very uniquely American problem. That means basing our solution on the marketplace, basing our solution in the world of private employer-based insurance that we have today.

Now there are absolutely people out there in this Chamber and in this country who want to see a Medicare-for-all system. There are others that say we should completely divorce health care from the place of employment. But for many of us those are changes that are a little bit too radical for our constituents.

So what I think we have to work on—and, again, a point in which I think we can get more agreement than you might otherwise think there could be on this issue of health care—is in making this market actually work.

In half of the States in this Nation, Mr. ALTMIRE, as you know, there's one insurer that controls more than half of the market. In 70 percent of the States there are two insurers that control almost three-quarters of the market. There's not a lot of choice out there for most people today.

Maybe the greatest contribution that we can make is to take this ingenious thing that we created in this country, the most vibrant capital marketplace in the world, and make it work for health care.

Now it's never going to work perfectly for health care because it's a strange system in which the people paying for health care are often not the people that are choosing the health care. So the health care marketplace is never going to work like buying a car or a gallon of gasoline. We can make it work a lot better than it does now.

And so the reforms that the President has proposed to establish health care exchanges, these regional health care marketplaces where insurance companies would really have to compete against each other for the business of individuals and small businesses, the reforms in this bill to make sure that insurance companies can't try to push out of their portfolios people that are sick or people that have certain expensive diseases, those are all engaged in the process of trying to make our health care marketplace work better.

And so we talked about the distortions surrounding the benefits in this bill to illegal immigrants. I say the same thing about those who come down to this floor or go out in public and talk about this proposal or any of the like proposals that we're debating as a government takeover. The CBO has been pretty clear on what the 10-year results of the bill that passed the En-

ergy and Commerce Committee would mean.

Mr. ALTMIRE, as we've talked about, there are a lot of people, including yourself, who want to see some changes to the proposal that's out there from Energy and Commerce. So I don't want to present that as the bill that's going to come to this floor for a vote. But let's take it as a foundational point of argument.

The Congressional Budget Office—again, the nonpartisan sort of analyst arm of this Congress—says that if you pass the bill out of Energy and Commerce, in 10 years more people would be on private insurance than are on it today. That private insurers in this country would have more business—not the same, not less—because we would reinvigorate that private marketplace and get more people into private insurance by helping them with tax credits both through business tax credits and individual tax credits to buy insurance.

That's a concept that I want to support, using the marketplace that is broken right now as the way that we fix health care going forward. I think that that's one of the points that we can get some agreement on going forward, Mr. ALTMIRE.

Mr. ALTMIRE. The gentleman said a couple of things that I wanted to comment on. I will get to the public option momentarily. But I agree with the way the gentleman characterized the discussion about Canada and Great Britain, the two countries that we most often hear the horror stories from.

Look, I don't live in Canada. I don't live in Great Britain. I don't know what it's like to live under those systems. But I do know this. I have a master's degree in health care administration. I've spent a career in health care policy.

I can tell you it is interesting to study what other countries do—not just Canada and Great Britain, but other countries around the world—and everyone has a different system. That's a nice political science or health policy discussion to have. But, as the gentleman talked about, that has nothing to do with what we're doing in this bill.

This bill doesn't in any way bring to America what Canada does, certainly. It's not even close. There's no comparison to be made. It doesn't do anything close to what Great Britain does, which is even more to the left of Canada.

And so we can watch the TV and hear the horror stories. And they're interesting to listen to, but it has no place in this discussion because it has nothing to do with the proposals that we're voting on.

With regard to the public option—and I'm going to use another example from when I was back in the district. I continued to hear people say, You know what? The government is inefficient, it's bloated, it can't do anything right. They would say, You can't name one program that the government has ever run that's worth anything. Everything it touches is bad. And if you have

them touch a public option, it's going to cost too much, it's going to be inferior care.

And I would say, Look, the public option is going to be self-sustaining. We do need to work out the details of what exactly it's going to look like, but it's going to be self-sustaining, with no taxpayer subsidies. It's going to compete on a level playing field with the insurance companies. It'll have to meet all the same regulatory requirements that they meet.

And there is some disagreement on this. I would like to see it have negotiated rates like the insurers. There are other opinions on that. But the point is it's going to be a fair fight. And it'll have to meet all the same requirements as the private insurers.

If you believe that the government can't do anything right, that they're going to mess up everything that they touch, and it's going to be inferior quality at a higher cost—and, under the terms of the bill no one is forced into the public option; it's voluntary—then what are you afraid of if you believe the private market can do everything better?

I'm not afraid of that competition. I think the private market can't compete and win. I think there are some families and businesses that would choose the option and feel that's a better deal for them—not because it has an unfair advantage, but if it's a level playing field and you don't think government can do anything right for those that have that belief, then why are you afraid of the competition?

□ 2115

Mr. MURPHY of Connecticut. Reclaiming my time, we have example after example of where the private sector and the public sector compete pretty well side by side, and most of the examples involve public sector entities that are heavily subsidized, and they still compete side by side with private entities.

Public colleges haven't run private colleges out of business despite the fact that they are heavily subsidized by the government. Public hospitals haven't run private hospitals out of business despite the fact that they are often subsidized. The same thing for even smaller, more mundane examples. Public golf courses and private golf courses, public pools and private pools. There is example after example of where public entities can coexist side by side with private entities, and they actually compete with each other.

I think this is such an important point, and I go back to the CBO estimate here, Mr. ALTMIRE. Assuming that you create that level playing field, which you and I both want, with an insurance exchange that includes a public option, the CBO tells us that not only will you have more people in private insurance when all is said and done but the number of people in the public option will be about 10, 12 million people, 2, 3, maybe 4 percent of the

overall health care consumers out there. A significant number but by no means a government takeover, as some people would have us believe. This is an option for people that can compete.

For me, I look at government health care and I think, well, you know, if it's good enough for our soldiers, if it's good enough for our veterans, if it's good enough for our Federal employees, if it's good enough for Members of Congress, if it's good enough for State employees, if it's good enough for every individual in this country over 65, then I think that my constituents should have the choice of whether it's good enough for them. I don't want to make that choice for them. I don't want to be like a European country that says your only choice is public insurance.

But I also don't like the arrangement we've got today where our law as set by the Federal Government tells my constituents that your only choice is private insurance. I give my constituents credit. I mean, I think that they'll be able to make the best choice for them. And I think if we do that, then we will get to where I think a lot of us want to get to, which is to really stimulate and reinvigorate that market, Mr. ALTMIRE.

Mr. ALTMIRE. I agree with the gentleman on those points.

I would say also let's look at the totality of what we're talking about with reform. When we talk about making reforms in the private insurance market that I think everybody agrees with, this is what you're going to get from health care reform: no more pre-existing condition exclusions. No more caps for people with chronic diseases, annual caps or lifetime caps, out-of-pocket costs. Insurance companies won't be able to deny you coverage or drop your coverage because you get sick or injured. These are all practices that we know exist. They won't be available after this bill passes.

The help for small businesses who can't afford health care to be able to help them, hopefully through tax credits or some other way, to afford coverage for their employees; to do the reforms in the system to incentivize quality of care, not quantity of care. We've talked about this many times on the floor where the current system is a fee-for-service system. The number of times you show up in the doctor's office, the number of tests they run and procedures they order, that's the amount of money that they make. So they have a financial incentive for you to be sick. The more often you're there, the more things you have wrong with you, the more money they're going to make. Well, that's a perverse incentive.

We want to change the reimbursement system to incentivize quality to keep you healthy and keep you out of the system before you get sick. And that's why we're going to incentivize prevention and wellness, to make those services that senior citizens especially can access the Medicare system at no

cost so that you can have the diabetes screenings and the mammograms and the flu shots and things that are prevention at no cost. They're going to prevent people from getting sick in the first place.

So these are things that I think we all agree on when we talk about reform.

Mr. MURPHY of Connecticut. Reclaiming my time, on this point of reforming the way that Medicare works to start paying for outcomes, start paying for systems and doctors and providers and hospitals that get results rather than just paying for volume, it is incredibly discouraging to me to watch Members of this body that proclaim to be fiscal conservatives come down here and eviscerate the efforts of the President and of the Democratic side of the aisle to try to rein in the cost of Medicare.

I hear sort of arguments out of two different sides. Opponents of reform talk about the fact that the government can't run anything, that they can't run Medicare; but then they also at the same time attack the fact that this bill for the first time in a long time tries to rein in the cost of Medicare, actually tries to fix the abuses out there.

Yes, in this bill there are reductions in the cost of Medicare. Nobody should apologize for the fact that we are going to rein in the abuse and waste and sometimes fraud in the Medicare system. It just doesn't make any sense, Mr. ALTMIRE, that there are health systems with the same medical populations and one is spending \$16,000 per year on every Medicare beneficiary and the other community is spending \$8,000 per Medicare beneficiary. And when you actually look at it, there's no difference in the outcomes that they get. Why are we rewarding systems of health care that just add volume upon volume of care and get no added benefit out of it?

Now, I'm not saying that the way that you fix that is easy. I'm not saying that there is some silver bullet that comes in here and all of a sudden finds a way to reward value over volume. But I'm saying that for those out there that have come down to this floor and have gone out in public and railed against the cuts in Medicare in this bill, they've got to pay attention to the reality.

The reality is the benefits stay the same for beneficiaries. In fact, they get better. As you said, we're not going to require seniors to pay for the costs of checkups and preventative health care anymore. We're going to eliminate the doughnut hole over time. We're going to start paying their physicians more to take care of Medicare patients rather than what the Republican majority insisted on, which was an annual 4 percent cut.

Are we going to say to health care systems and hospitals and providers who are just ordering tests and procedures for the sake of reimbursement

and volume and not for quality that they shouldn't get paid as much as they do now? Absolutely. But that's our obligation as stewards of the taxpayer dollars, as people that care, like our constituents do, about preserving the life of Medicare.

So I hope that we can join together in this conversation. I hope that my friends out there that claim to be fiscal conservatives don't spend the next 2 to 3 months out there railing against every single 10-year reduction in Medicare spending in this bill because, again, if we want to come together, there is nothing more appropriate to come together on than spending our taxpayer dollars wisely on existing government programs like Medicare. I want Medicare to be around when I turn 65, and if we don't tackle the excessive costs in some parts of our Medicare system right now, it's not going to be, Mr. ALTMIRE.

Mr. ALTMIRE. And on that point, Medicare, as we all know, is scheduled to go bankrupt within 7 years. It's already, as a trust fund, paying out more than it's taking in. It has for the last few years. It's going to be completely insolvent in the year 2016. That's because of rising health care costs which are, unlike Social Security, which is going to be solvent through the year 2040, and because of demographics, it takes a downturn thereafter, but health care costs are unpredictable.

Retirement costs are very predictable. You can generally figure out how long a population is going to live in the aggregate, what kind of money they're going to make, what their salary progression is, and what their retirement benefits look like. That's easily predictable.

Health care benefits aren't. You don't know how much technology is going to change, how much prescription drugs are going to cost, how much high-technology treatments are going to cost, and what the future holds with regard to new innovations and technologies down the road. So for that reason, it's impossible to predict Medicare costs in the same way. The first baby boomer becomes eligible for Medicare in the year 2011. That's a big part of it too demographically.

So what we're trying to say is what can we do to preserve and protect Medicare for the long term? That's the whole point of health care reform, to bring down those costs, to make Medicare solvent, to make the reforms necessary so that it can last into the future and be there certainly for all the current beneficiaries, the baby boomers, for the gentleman and myself, and for our grandchildren. That's why we have to reform the Medicare system, the payment system, and that's why we need to reform our health care system.

But we spend as a Nation \$2½ trillion a year. This year, 2009, we're going to spend \$2½ trillion as a Nation for 1 year on health care. So what are we talking about?

Now, we used to in this House score things over a 3-year period; and then people, I think rightly, said that doesn't give you an estimate of sort of the long-term impact of the legislation; let's do it over 5 years. So for a while, several years, we scored all the bills over a 5-year period. Now in the interest of transparency and to give the public an idea of the full long-term costs, we actually score legislation that comes to this floor over a 10-year period.

And what's the cost of this bill going to be? The President of the United States stood right behind where the gentleman stands about a month ago and told us that it's going to cost somewhere in the neighborhood of \$900 billion over 10 years, which is going to be fully paid for. It's not going to add to the deficit. We'll talk about that. But \$900 billion over 10 years. So on average, that's \$90 billion per year in a system where we're spending \$2½ trillion this year, and it's going to go up exponentially every year for the next 10 years.

Is there anyone out there who doesn't think we can find inefficiencies in the system and waste that we can squeeze out to the tune of \$90 billion a year in a \$2½ trillion system, that we can't make it more efficient and save enough money to make the reforms that we're talking about?

I just think that the American people, when they think about these numbers, need to remember that we're talking about reforms that are going to increase quality, that are going to increase benefits for people, but that we are talking about in the aggregate a relatively small portion of the health care system as a whole when you talk about this stuff.

Mr. MURPHY of Connecticut. Mr. ALTMIRE, you've been a great leader on this question, which is to say, listen, to fix the problems with our health care system, we're going to need to spend a little bit of money up front, with tax credits to individuals or to small businesses to help them afford insurance, money to plug the doughnut hole to pay for preventative care for our seniors, expansion of Medicaid programs to cover some more people. We have got to look to savings first. And that is a point you've made to dozens of Members on this floor. To say, listen, exactly as you put it, and you're much more eloquent on this subject than I am, we can squeeze savings out of this system.

And as you enunciate, it's important to remember that that 10-year cost of this bill, whether in the end it's \$900 billion or \$700 billion or \$600 billion, that's the gross cost, not the net cost. That can be paid for in whole or in large part by the savings that we're talking about here to the current government health care expenditures.

Now, listen, for those people that say I don't want the government involved in health care, guess what? It's too late. Fifty-five percent, somewhere in

that neighborhood, of health care dollars in this country are spent by the government. Medicare, Medicaid, the veterans system, et cetera. We have not just the obligation but the opportunity to modernize those programs, glean real savings out of them, and turn it back around to people who are left out right now.

And for those opponents of reform who go around demagoging the Medicare reductions in this bill and say we cannot touch Medicare, those Democrats had better not make any changes to Medicare, well, Mr. ALTMIRE, as you pointed out, Medicare's going to go bankrupt. So if you don't control Medicare costs, if you're one of the people on this House floor or out there on the stump saying that Congress, whatever they pass on health care reform, can't touch Medicare, then you have only one other option in order to preserve Medicare for your kids and your grandkids, and that's to increase taxes. That's to increase the amount of money that comes out of everybody's paycheck to pay for Medicare.

□ 2130

So I can certainly understand a disagreement about where we need to rein in costs on Medicare and where we shouldn't, but I hear a lot of commotion out there by people who say we should not touch it. I agree we should keep benefits where they are and improve them, but we do need to find efficiencies in the system.

Turning to another subject, Mr. ALTMIRE, you and I both have young children. I know in the 12 months that I have had the joy of being a parent, there is not a day, not a week that goes by that I don't think about the cost of what we are doing to my son.

As someone who, frankly, voted for the stimulus bill, what I thought was a necessary means to get this economy back up and running and to stabilize what had been up to that point a free fall, I approach this health care bill with the same bottom line that the President does: We need to pass a bill that finds a way to get coverage to more people and reins in the cost of care. And to the extent that requires spending some money at the outset in order to get a better system in the long run, it has to be done in a deficit-neutral way. "Deficit-neutral" is kind of an inside Washington term, but the bottom line is this, we can't borrow any money to pass health care reform.

I think that is a growing commitment on behalf of both sides of the aisle here. It is certainly a bottom line for the President. And again, I think a central tenet of health care reform has to be to do what you push for, squeeze the savings out of the system as much as we can in order to pay for what we need to do, and then make a rock-solid commitment that we won't borrow a cent in order to pay for it.

Mr. ALTMIRE. I agree with the gentleman. I have said that I will not support a bill that adds one penny to the

deficit. Even more important than that, the President of the United States said that from the podium behind you. He will not sign a bill that adds one penny to the deficit.

I heard time and again over the course of being back in the district concerns about the spending that is taking place in Washington and the increase in the debt and the annual deficits over the past 9 years. I have young children, as the gentleman said. I completely agree, we have to do this in a way that is not going to add one penny to the deficit or the national debt.

One of the Senate bills which has been finalized and is being marked up this week, in fact, saves money over 10 years. I don't know if that is going to be the finished product. Certainly it is not word for word, but it is possible to do health care where we might actually bring a bill to the floor that, at minimum, is not going to add to the debt but might even reduce the debt over a 10-year period, or reduce the deficit on an annual basis.

That is something that I think the American people should consider when they talk about the need for health care reform, but also the need to bring down our long-term deficit. We can't ever address our long-term deficit without doing health care reform. It is too big a part of our economy to ignore.

Mr. MURPHY of Connecticut. Estimates are, within the next 30 years, health care costs will consume 50 percent of gross domestic product in this country. Think of that. One out of every two dollars spent in this country by the government or private sector will be spent on health care. Today, it is creeping up on 20 percent, but in 30 years things will be out of control.

You are exactly right, there is no way to talk about deficit and debt reduction without talking about health care reform. We have examples of how we have been able to do that just in the last week.

Last week we passed an education reform bill that modernized our student loan program, got \$87 billion worth of savings, and applied a significant portion of those savings not to new student loan programs but to deficit reduction. Frankly, that should probably be a model for everything that we do here. If we can glean savings out of government programs, we need to apply all or part of that to paying down the debt.

We are at the close of our hour, so if you have any closing comments, Mr. ALTMIRE. I appreciate you joining us down here for this hour.

I am optimistic by nature. We both focused on the points of agreement we think we can get here. I do make a point to call out my Republican friends when I think they have tried to lead folks out there astray on a particular point on the bill, but it is because I want to have an honest debate in the end. I think if we are all talking about the facts, we can get to a point of

agreement, because our constituents out there want us to get there because the problems in our health care system dictate that we create a real solution that isn't incremental and isn't small and around the edges, but attacks the foundation and the gut and the root of our problems.

So I look forward to coming back down to the House floor and continuing to push forward this case for reform.

HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Thank you, Mr. Speaker, and I thank the gentleman for yielding to me earlier in the hour. I think an open dialogue is a good thing, and I hope the gentlemen will be here to hear the rebuttals that I am about to provide to the statements that they made in the previous hour, starting with the bill that passed out of the Energy and Commerce Committee and other committees, H.R. 3200, which is the foundational bill to the health care act, the national health care act that Democrats are seeking to pass.

And regardless of the statement that there is general language in the bill that says nothing in this bill funds illegals, the fact remains that the amendment that was offered by the gentleman from Georgia (Mr. DEAL), which was language that is tried and true, that existed in the Medicaid legislation that we have used for at least a decade that requires proof of citizenship, that amendment was voted down in Energy and Commerce 29-28, resulting in an open-door policy where there are no restrictions to keep the bill from providing access to benefits to illegals or to people who are here legally but are barred under the 5-year bar.

In fact, the standard that exists was a standard that required proof of citizenship. Democrats first took that apart when they passed an expansion of SCHIP, the State Children's Health Insurance Program. They took that from a 200 percent of poverty, and the first time it passed the House it went to 400 percent of poverty. Mr. DEAL offered the same amendment in that bill to put in language that existed in law before it was struck out by the expansion of SCHIP, and it was voted down on almost a party-line effort.

We know if there are not provisions which require proof of citizenship, then there aren't provisions that are going to prohibit illegals from getting benefits under the bill. The Congressional Budget Office knows that. They scored that language in SCHIP as costing \$8.9 billion to fund health insurance for illegals and to provide Medicaid to illegals because it removed the citizenship standard. Removing the citizenship standard, according to the Congressional Budget Office, on H.R. 3200, the health care bill, would provide for

access to those benefits under the bill for as many 5.6 million illegals. And that's the score that came out from the Congressional Budget Office.

Another nonpartisan organization is the Congressional Research Services, and they also concluded there weren't restrictions in H.R. 3200, the health care bill, so that would result in those benefits going to illegals who would apply. And we know how fast the grapevine works and how effectively people can game the system, and no one should be in a position of responsibility in this Congress if they can't understand that equation, especially if they are on the committee.

And it is not just STEVE KING making this statement. It is the Congressional Budget Office on at least two different occasions, rendering a judgment on that specific language of the Deal amendment, and it is Congressional Research Services. And by the way, it goes on down the line and a number of other entities, including the President, who finally had to address it and say we are going to have to write something in the bill to protect us so it doesn't fund illegals. And it also includes the Senate, which took the position that they would address the language.

So why do you have to fix it if it doesn't fund illegals the way it is? And I believe that the President stood here and called a group of Members of Congress who were exactly right on their facts, I believe he accused them of not being honest. And directly, he said, We will call you out.

Well, I'm saying this: The President got it wrong. Maybe he has it right now, but these gentlemen have it wrong, and they need to go back and check their facts. The amendment was voted down 29-28. The Deal amendment required proof of citizenship. When you remove the proof of citizenship requirement, the Congressional Budget Office and the Congressional Research Services and every nonpartisan, objective evaluation comes to the same conclusion: We will be funding illegals if we don't have the language in there. That is the only language that is going to be satisfactory. And by the way, I don't think Senator BAUCUS has it in his bill yet, although he has pledged to do so, and we will watch that language very carefully as it unfolds over in the Senate.

So yes, illegals would get health care under this system unless we write the language in that sets the standard so that they don't.

The statement that was made by the gentleman, Mr. ALTMIRE, with the public option there would be no subsidies. The facts of the health care bill don't support that. First of all, it is going to take capital to set up the public option as a national health insurance company. If you set up a national health insurance company, it is impossible to do so without putting capital in, without injecting some billions of dollars to jump-start a national health insurance

program that would compete directly with the 1,300 private health insurance companies that we have.

That is not what you call a no-subsidy situation. That is called a subsidy situation. Putting capital in to compete against the private sector is subsidy.

What do we suppose will happen if we put \$10 billion into the front end of this national health insurance program and we find out that it becomes insolvent? Do we then let it collapse or does this Congress at a later date decide we are going to have to put some billions of dollars in there to keep the national health care plan up?

Under these majorities, under this Pelosi Congress, I guarantee you they will borrow money from the Chinese, if necessary, in order to subsidize a national health care plan. It isn't going to go any other way. They have worked for 30 or 40 years to try to establish a national health care, and they are not going to allow it to go under because it falls a little short on some kind of promise that there won't be subsidies. Yes, there will be subsidies, and any rational person who understands history will know that.

The argument that a national health care plan will compete on a level playing field, a level playing field with referees that will be chosen by the government, not by the private sector, and I will make a point.

This, Mr. Speaker, is the formerly embargoed flowchart that actually depicts the language that exists in H.R. 3200, the national health care plan. We call it the Organizational Chart of the House Democrats' Health Plan. This is the government plan. This is the government option configuration. This creates at least 31 new agencies.

Now, down here at the bottom, I just direct your attention to these two purple circles at the bottom. This is where the crux of the matter is. The gentleman, Mr. ALTMIRE, made the statement that the public option, there wouldn't be any subsidies and they would compete on a level playing field. Well, here is how this field is regulated, and it will not be a level playing field.

Oh, by the way, anything that is a white box is existing programs or agencies. There is Medicare, SCHIP, Medicaid. But the existing private insurers in this little box here, Mr. Speaker, once the bill is passed, these private insurers, this is 1,300 health insurance companies in this little box. That is how many private insurers we have. Those traditional health insurance plans, the policies, there are approximately 100,000 different varieties of policy combinations available across the United States. These policies would have to qualify to become qualified health benefits plans. Now, if there is going to be a qualification set up, I think it is not possible to presume that all 1,300 companies and all 100,000 policies will be qualified under this bill.

□ 2145

This bill doesn't define what will be required necessarily in the health insurance policies. It gives that authority to the Health Choices Administration. The Health Choices Administration commissioner would run that shop with his commission, and they would make the decisions then on what would be the standards for the health insurance companies—these providers here—what would be the standards for the 100,000 health insurance plans which would qualify to go into this purple circle here called qualified health benefits plans.

So for all of this, the rules will be set by the Health Choices Administration commissioner. The new Health Choices czar will write all of those rules. If he has to write the rules, you don't get to call it a level playing field because the rules will be written so the Federal Government can compete. That's the difference in the approach here, the idea that it is a level playing field. It's not. My question was, why are you afraid of the competition? Well, I'm not afraid of the competition. I think we have competition in our health insurance companies. I think that they're afraid of the competition or else they would support the proposal that almost every Republican supports, and that is, allow Americans to buy health insurance across State lines. That expands the competition dramatically, Mr. Speaker.

So there is a fear of competition. There is a fear of letting the free market provide that competition and giving people the portability that they need. There is a real fear also of addressing lawsuit abuse. Lawsuit abuse is the medical malpractice component of these costs that the industry places between 5.5 and 16 percent of the overall health care costs. The number that comes from the person whom I trust the most is 8.5 percent. If you multiply that 8.5 percent across the costs of providing health care in America, over the space of time, it's \$203 billion or \$2 trillion for the sake of the budget window of 10 years that we deal with. That \$2 trillion would pay for everything they wanted to do, but every one of them will stand in the way and block the lawsuit abuse that could actually fund their socialized medicine because the trial lawyers are telling them that they can't address it.

So there are a lot of things that we would like to do. We would like to provide portability, and we would like to fix the lawsuit abuse problem, and we would like to be able to buy health insurance across State lines, provide full deductibility for everybody who pays a health insurance premium, provide transparency in the billing so we can actually have some real competition out there and allow people to expand the HSAs so that HSAs can transform themselves, under good management and good health, into retirement plans, pension plans when one reaches Medicare eligibility age. Those are some of the things on health care.

Mr. Speaker, I feel compelled to rebut some of the statements that were made in the previous hour. And as much as I get along with the gentlemen that were making their presentation, I clearly disagree with a lot of their conclusions. But they have their talking points down pretty well, given what comes out of the DCCC.

I came here tonight, though, to talk about the missile defense shield and the issue with Eastern Europe. I believe the President of the United States has bargained away a very, very important shield that was essential to the negotiations that were going on with Iran. And in their persistent and relentless effort to develop a nuclear capability, not only a nuclear weapon but a means to deliver it, and if they can develop that means to deliver it along with a nuclear weapon, they have said that they want to annihilate Israel, and they eventually want to annihilate the United States. This would put them very closely within the umbrella of being able to strike many places in Europe as well. In the chess game that is going on, in the poker game that's going on, and in the Monopoly game that's going on in the United States, it is something that is very high test. It's very high risk.

We have with us tonight one of the real leaders in this issue who understands the physics, the technology, the politics, the global approach to this, Putin's involvement in this chess game, of him seeking to reconstruct the vestiges of the former Soviet Union, the dynamics of the psychology of the mullahs in Iran, the necessity for the Israelis to defend themselves, and the necessity and the constitutional responsibility for Americans to do the same. I am happy to yield as much time as he may consume to the gentleman from Arizona, Mr. TRENT FRANKS. Thank you for coming down, Mr. FRANKS.

Mr. FRANKS of Arizona. Thank you, Mr. KING.

Mr. Speaker, I just want to express my gratitude to STEVE KING. The gentleman from Iowa is not only a precious friend, but I truly believe that he is a friend of freedom and a friend of America. All of the things that he has laid out related to the health care reform plan put forward by the majority I completely embrace. There are so many things that are important to discuss in the country today. I mean, one of the things that can be said for the Barack Obama administration is that they're moving fast in a host of different areas. I happen to disagree with the vast majority of those areas, and it makes it very difficult sometimes to pick the priority to speak to.

But let me just say, the priority that I would like to speak to tonight, with the permission of the gentleman from Iowa—and maybe we can speak to it as we go here—is this whole issue of missile defense. Mr. Speaker, last week the Obama administration did something that could go down in history as a

crossroads in European-American relations. I am afraid that this and future American generations may be gravely affected by his decision. The administration decided to abandon U.S. plans for a ground-based U.S. missile defense site in Europe, and I believe the President fundamentally disgraced this Nation by breaking his word to our loyal and courageous allies in the Czech Republic and in Poland. Mr. Speaker, for many reasons, America has become the greatest nation in the history of the world because our word has meant something. The announcement to abandon the protective missile defense shield in Europe has fundamentally altered that paradigm.

After the decision was announced, the newspaper headlines in Poland and the Czech Republic stated the situation in the very starkest of terms. One Polish newspaper had the headline, "Betrayed!"—betrayed, wow, that's heavy stuff, Mr. Speaker—"The USA has sold us to the Russians and stabbed us in the back." The Czech Republic, the daily Lidowe Noviny commented, "Obama gave in to the Kremlin."

Mr. Speaker, President Obama's decision to abandon our faithful allies and, instead, to placate Russian belligerence came on the 70th anniversary to the exact day of the Soviet Union's invasion of Poland after two of humanity's most notorious monsters named Stalin and Hitler insidiously agreed to divide the Nation of Poland between themselves. Our allies deserve better than that, Mr. Speaker. After they stood bravely in the face of Russian aggression and paid a profound political price to stand by us, they had a right to expect America to keep her word and to stand by them.

Mr. Speaker, ironically, Mr. Obama's terribly flawed decision for abandoning the European missile defense site has everything to do with primarily Russia. Russia has always hated the missile defense plan because they don't want an American presence in their former empire, knowing that this would diminish Russia's influence in the entire region, even though the European site would not threaten in any way Russia's military capability. There is no way that 10 ground-based interceptors can have any real effect on the Russian Federation nuclear strike, if they chose. Russia's leaders know that if an American radar is placed in the Czech Republic and American missile interceptors are placed in Poland, those two sovereign countries would be stepping further away from the shackles of Russian oppression in the East and joining with America in the West in the cause for democratic independence and human freedom.

But Russian belligerence notwithstanding, reports surfaced in March of this year, indicating President Obama had covertly offered Russians a promise that the United States would cease moving forward with the deployment of the ground-based missile defense site in Europe if Moscow—now this is unbelievable to me, Mr. Speaker—if Moscow

would commit to helping to discourage Iran's nuclear programs. Now let us just recall for a moment, Mr. Speaker, that it was Russia that actually delivered nuclear fuel to Iran, and Russia was paid \$800 million by Iran for its work on the Bushehr nuclear reactor, which will help Iran make their own nuclear fuel for weapons. Russia has been strongly suspected of aiding Iran's already advancing missile program itself.

Moreover, just this week, Mr. Speaker, Venezuela's Hugo Chavez announced that they were purchasing more than \$2 billion worth of arms from Russia, including rocket technology, and Mr. Chavez has already declared that Venezuela will get started on a nuclear program with Iran's help.

Mr. Speaker, asking Russia to choke off Iran's nuclear program while ceding our only defense against Iranian long-range ballistic missiles is as illogical as a police officer offering his bullet-proof vest to a gang of violent criminals in exchange for verbal assurances that they won't use their guns. Our allies, potential allies, rogue nations and terrorist groups all over the world were watching President Obama's capitulation. President Obama swore he would restore America's relationships in the world, relationships the liberal Democrats accuse the Bush administration of destroying. But instead of restoring America's relationships, he has diminished our credibility across the world and possibly beyond repair.

Most importantly, Mr. Speaker, the American people deserve to be told the truth about what we actually lost when the President abandoned the European missile defense site in Poland and the Czech Republic. Today the nation of Iran is defying the Western world in its determined pursuit of nuclear weapons, which would allow Iran and its proxies to hold the entire peace-loving world under nuclear threat. The most devastating aspect of the President's decision—of course aside from forfeiting our ability to intercept long-range ballistic missiles aimed at the American homeland—is that it removed a strong disincentive for Iran to continue with its nuclear weapons program, and that was one of the critical purposes of the European missile defense site from the very beginning, Mr. Speaker. It was meant to create a strategic disincentive for Iran to develop a nuclear long-range missile capability. Iran would have had to face the fact that they were pursuing a long-range missile technology for which we already had a defense.

In other words, it would have been like trying to spread a virus when we had already been inoculated against it. Instead, Mr. Speaker, we have forfeited that strategic advantage, and we have gained nothing in return. As timelines exist now—and this is such an important point—as timelines exist now, any alternative to the system the President abandoned will come too late to be a significant factor in preventing the na-

tion of Iran from developing a nuclear missile capability that will threaten the peace of the entire free world and its children.

Mr. Speaker, if Iran does achieve a nuclear capability, it will officially launch a nuclear arms race in the Middle East. It will allow a corrupt regime—whose leader hates America, whose leader hates Israel and the Western world, and who considers Armageddon to be a good thing—to be able to hold the United States and our allies at risk from a ballistic missile carrying a nuclear warhead, much like the Soviet Union did during the Cold War.

As former U.N. Ambassador John Bolton has stated, "There is no harm in deploying our missile defenses before ICBMs can reach America. But there is incalculable risk if Iran is ready before we are." Unfortunately, Mr. Speaker, Iran may be ready far sooner than the Obama administration seems ready to admit. Recent reports state that Iran may reach a nuclear weapons capability within as little as 1 year, and The New York Times recently stated that Iran now possesses at least 7,200 centrifuges capable of producing weapons-grade enriched uranium and that they have already produced enough low enriched uranium to make at least one nuclear warhead.

Mr. Speaker, I sometimes have the hardest time just stating the facts as they are without sounding like an alarmist. But I truly believe this. And I will go on record to say that I hope that the listeners and anyone—including you, Mr. Speaker—are really paying attention. This needs to be said. If the Obama administration continues down this road of appeasement and denial, the nation of Iran will gain a nuclear capability, and they will pass that technology and those weapons on to the most dangerous terrorists in the world. And this generation and so many to come, Mr. Speaker, will face the horrifying reality of nuclear jihad.

Those of us who have been blessed to walk in the sunlight of freedom in this generation will relegate our freedom to walk in the minefield of nuclear terrorism in the next generation. Mr. Speaker, the preeminent responsibility of the President of the United States and even of this Congress is to protect the national security of the United States. I believe that President Barack Obama's abandonment of the ballistic missile defense site in Europe fundamentally betrays that responsibility.

□ 2200

I am stunned that he does not seem to understand that, and I am sincerely in fear that our children and our children's children may pay a tragic price for that betrayal.

I thank the gentleman for the time, and I will be glad to enter into any kind of colloquy or discussions. Thank you, sir.

Mr. KING of Iowa. I thank the gentleman from Arizona, and I look forward to the colloquy that we will have,

and I know I've asked the gentleman from Missouri to add a broad view to this.

I just would recap the presentation that we've listened to here, which is precisely worded and is, I think, precisely accurate. It researches some conclusions that I don't think anyone who has followed this in a logical fashion can avoid:

As I understand this, we have been setting up the nuclear shield in Poland and in Czechoslovakia. It takes about 5 years to get it set up. The anticipation was that the Iranians wouldn't be ready for about 5 years. At about the time the President capitulated on this, we had a report that was leaked that maybe Iran could be ready a lot sooner, in maybe as soon as a year.

So I'll just direct your attention to The Wall Street Journal, to Mark Helprin's article. He has a unique way of observing what, I think, the gentleman from Arizona has articulated so well.

Helprin writes: What we have here is an inadvertent homage to Lewis Carroll. We're going to cancel a defense that takes 5 years to mount because the threat will not materialize for 5 years, and we will not deploy land-based interceptors in Europe because our new plan is to deploy land-based interceptors in Europe later.

Does the gentleman from Arizona care to comment on the accuracy of that statement?

Mr. FRANKS of Arizona. Well, I believe that Mr. Helprin is exactly correct. These things don't happen overnight. It takes a certain timeline in order to build both an offensive capability and a defensive capability. We were on track to have our defensive capability in place by around 2012, which would have probably been before Iran could have actually launched a full-blown intercontinental ballistic missile against the homeland of the United States.

As it stands now, the ostensible alternative that the President is offering will not even be in place until 2018 or until 2020, at which time the Iranians will be fully capable and will just be ignoring us at that point.

It just gives us no real opportunity to use the European missile defense site as a factor to help play in the calculus or to prevent Iran from gaining that nuclear capability. Once they do it, it's just hard to put the toothpaste back in the tube.

Mr. KING of Iowa. In the gentleman's opinion, does this capitulation on the part of President Obama make it more or less likely that the Israelis will be compelled to strike at the capabilities of Iran?

Mr. FRANKS of Arizona. Well, let me just say this first with the gentleman's permission: I believe, if the free world places Israel in the untenable position of having to defend itself, which it will have to do if no one else has the courage to stand up to Iran, Israel will have no choice. It has no room for error.

Ahmadinejad has said that they want to wipe Israel off the map. One warhead could virtually destroy Israel. We can put eight Israels in the size of my State of Arizona. They're only a one-bomb nation. They cannot abide an Iranian lunatic like Ahmadinejad, who has his finger on the nuclear button with a Shahab-3 that can reach Israel in about 12 to 14 minutes. They cannot possibly abide that.

We in the free world know that. If we stand by and force Israel to respond like we've done in times past, whether it be with Syria or with the nuclear power plant in Iraq sometime ago, the Orissa plant, if we put them in that position, then we really fail the whole world because that will enflame the passions of the entire Arab world; and it will, I think, set us on a path of great contention.

Mr. KING of Iowa. Reclaiming my time, as I look at this and at the strategic location of Israel and at the 12 to 14 minutes that it takes for a missile to get from Iran to Israel and at the 12 to 14 months for Iran to have the capabilities to do so, the odds of being able to slow Iran's development down of nuclear weapons because of any diplomatic maneuverings that might come with regard to sanctions—economic sanctions, negotiations, blockades, threats of anything—have diminished dramatically because the club has been laid down by President Obama; the shield has been laid down by President Obama, and it sends the message to Iran:

Accelerate your efforts on the 17 to 200 centrifuges that you have.

So, from my view, it puts Israel in a position where they may have no choice. If they wait 12 to 14 months to make their decision, the decision may be coming too late at that period of time.

Mr. FRANKS of Arizona. Tragically, Mr. KING, the Israelis will have almost no choice. This will be a defensive action on their part because they've already been told by the Iranian leaders that they intend to wipe Israel off the map. This would give them the capacity to do just that.

I just think it's a tragedy, beyond my ability to articulate, that we don't have the understanding of what we're really facing here. I think Mr. Obama is simply naive as to the danger and as to the mindset of jihad and as to how serious they really are.

You know, they played rope-a-dope with us in North Korea for many, many years; and now we know that they plan and continue to plan to come to a full-scale nuclear weapons capability. The same thing exists with Iran.

Unfortunately, I believe only two things will stop Iran from gaining a nuclear capability: either military intervention or the conviction in Iranian leaders' minds that nuclear intervention will occur if they don't stop their march towards a nuclear weapons capability. I'm afraid that Israel understands that. If we don't respond or if

some coalition of the Western World doesn't respond, then Israel will be left with no choice.

Mr. KING of Iowa. A third alternative, I might suggest, would be if the people in Iran could successfully rise up, could take that country over and could move towards peace.

I know the gentleman from Missouri has got an opinion on this subject matter. I would be very happy to yield so much time as TODD AKIN will consume in laying out the parameters of the view of this as he sees it.

Mr. AKIN, thank you for coming to the floor tonight.

Mr. AKIN. I thank my very good friend from the State next-door to the State of Missouri. I thank him for his common sense.

I also thank my good friend from Arizona, a fellow member of the Armed Services Committee. He is both a statesman and is very good from an engineering point of view with the details of what is going on.

I'd like to just try and say similar things but in a little bit more of a net fashion because he was so scholarly about it.

Basically, what happened was the Obama administration made a decision, which was announced Friday, that they're abandoning missile defense in Eastern Europe. Those locations are chosen because of physics and geometry to protect Western Europe and the United States from a possible launch from Iran.

Now, when you talk about missiles, it isn't too complicated. You've got little ones, medium-sized ones and great big ones. The way you stop great big ones, which we call intercontinental ballistic missiles—and they have three stages, and they go very high and very fast—is with other big, fast missiles called ground-based.

The proposal was to put defensive locations in a couple of Eastern European states, the Czech Republic, among others, and to provide ourselves with a defense. The most fundamental purpose of a civil government is to protect their citizens, particularly to protect millions of citizens in the face of somebody who says, We're going to get you. They're building weapons that can only be used for that purpose. Nuclear bombs are not used to power a power plant. They're used to blow people up.

So we have an administration which has stepped away from the fundamental purpose of any government to protect its citizens. So this is a regular head-scratcher of a decision. Not only that, but we betrayed the people who politically put their necks on the line with their constituents and with their citizens, making a controversial decision in Europe to be able to be part of this missile defense.

This was Ronald Reagan's dream, and I don't see how anybody could have trouble with the idea of trying to protect oneself against somebody who is trying to "nuke ya." I mean, to me, that just defies common sense.

So what is going on here is we've seen the Obama administration stepping away from the requirement to defend ourselves. President Bush did the heavy lifting. He went into Europe, talked to the Russians, and told them, You've got 6 months, and we're going to develop missile defense. Everybody said you can't do it. The Democrats said, It's too expensive and you can't do it. We developed the technology, and we did it.

Not only did we hit a missile with a missile, but we have demonstrated it time after time after time. At incredibly high speeds, we hit a spot on a missile with a missile. We can do that. We have the technical ability to do it and, yet, no will to follow through.

□ 2210

I don't understand that. What frightens me particularly, gentleman, is this decision is not made in a vacuum. It is a pattern that we are seeing on the Armed Services Committee and things, some of these things that from a security point of view we can hardly talk about.

But this is not one decision by itself. We are also seeing a very strong weakening of resolve in dealing with what's going on in Afghanistan. Our troops on the ground are sending us signals, hey, guys, we are going to have to go out and get it. This isn't going to be easy. This is one of these, like Iraq, it's going to be one of these insurgent-like conflicts. It is going to take some time and effort and enough people to get it. We are seeing a waffling on the part of the administration in the face of the challenges facing us in Afghanistan.

On a third point, which I would perhaps get in an argument with my very good friend from Arizona, that there is something even more upsetting to me, and that is the fact that Americans of offensive capability has been based for many decades on the idea of a triad; that is big missiles that we launch from the land, big missiles that we launch from submarines. The third leg of the triad is a bomber, a bomber that can go over some potential enemy's territory with impunity and bomb them. With that offensive capability, we can live in peace, because we have no intent of wanting to drop missiles or bombs on anybody.

But what has happened is this administration is walking away from one leg of the triad. I know my dear friend on Armed Services knows what I am talking about. I have to be careful about what I can say and not.

But this is the bomber leg. Our bombers are currently old, some of them 50 years old. It is important that we do the planning now to develop the technology and the aircraft to maintain that leg. That also is being cut by the Obama administration, and that's something that has not received hardly any public attention. But this is a big deal, as big a deal as cutting missile defense.

So this is a pattern, a pattern of not funding national defense, not

prioritizing the protection of our citizenry, and I am very uncomfortable with it.

I would like to toss those thoughts out for a little discussion.

Mr. KING of Iowa. As I listen to the descriptions that have been delivered here in ways by the three of us tonight, it takes me back to a memory that I believe 1984 was the year, if I remember correctly, that Jeane Kirkpatrick stepped down as the Ambassador to the United Nations. It wasn't a very big article. It was a little thing, about page 3 or 4, and it was in the *Des Moines Register*. I read that, and it stuck with me all that time.

I should go back and get it verbatim, but I am very close. She said we are in the middle of the cold war. If you remember, it was the height of the cold war at that time and Reagan's first term.

She said, what is going on in this cold war, this great clash of the two titan superpowers, is the equivalent of playing chess and monopoly on the same board. The only question is—remember the arms race? The only question is will the United States of America bankrupt the Soviet Union before they checkmate us militarily? Do we bankrupt the Soviet Union economically before the Soviet Union checkmates us militarily?

We know what happened as it unfolded. On November 9, 1989, 20 years coming up here in a month and a half will be the celebration of 20 years of the Berlin Wall come crashing down. That wasn't just the symbol of the Iron Curtain, that was the Iron Curtain. The Soviet Union's economy couldn't sustain this.

Well, Putin has said that's the greatest disaster of his time. Now we have watched him out on this chessboard seeking to checkmate the free world. It's very early in Putin's game, however, while he understands the monopoly game a little better, having actually built some wealth at least temporarily with the high energy prices that he has. We have watched Putin maneuver around the globe.

I would point out that the Russians went in and essentially made an offer in Kyrgyzstan that they couldn't refuse. They are in Kyrgyzstan. They cancelled the lease that we had on our airstrips that were there, which shut off our ability to be able to freight military supplies into Afghanistan. The Russians did that.

Then they had the temerity to turn to us and say, oh, never fear. We will be happy to haul that freight in for you for a price, and you can always trust us to do that in a reliable fashion. With a straight face, go in and interfere in our relations with Kyrgyzstan and make them a better offer than we are making, then turn around and say now that we have this under control, we will make sure that we will freight this equipment in, and you can trust your military operations are going to continue. That's one piece of the chessboard.

Another piece of the chessboard that Putin is playing is a little over a year ago he went in and invaded Georgia. He shut down the oil that went through Georgia. If I remember right, it's 1.2 billion barrels of oil a day that goes through Georgia on a pipeline. There is a train that hauls crude oil through Georgia. They have got natural gas pipelines that go through Georgia. The nation of Georgia is, if you are a chess player, it is the square on the chessboard that if you will notice, in a highly contested game, it almost invariably comes down to where you have a whole series of pieces that are focused on one square.

Someone will put some pressure on a square on the board, and the other—the opponent will have to put a competing piece to cover that, and then you back it up with another, another, another. That square becomes the whole game that is going to be fought out in that single square.

Georgia is the square. It's the square that energy has to go through from the energy that's on the east side of the Caspian Sea to get through Georgia to get over to the Black Sea where it can go on out and then into the shipping lanes in the rest of the world and go on around Europe and everywhere else. Natural gas and lots of it, oil, and a good supply of it, and Putin went in and controlled it. Now he has backed off a little bit, but he has said he can do whatever he wants to shut that oil off.

What do we hear from the Germans, for example? They say, well, of course a nuclear powered Iran is preferable to a military strike to take it out, as if that was an unquestionable fact. In reality, they haven't done the calculation what Mr. FRANKS calls nuclear jihad.

Additionally, the Russians shut off the fuel going through, the gas going through to Germany a year ago. It was a year ago January that happened. The Germans said, well, don't worry about that, that's only about 30 percent of our overall gas supply so it really doesn't put that much of a crimp in us. And, by the way, we have created some alternatives. We are going to build another pipeline that comes through in the north. From where? Russia, to make themselves more dependent on it.

As I watch Putin make these moves around the world and bring the resources into Iran that Mr. FRANKS has talked about, and we are naive enough, myopically naive enough to accept or even consider that there is a rational argument that somehow the President capitulated on missiles in Eastern Europe and he got a quid pro quo of some kind for it. I would pose this question beyond rhetorical: Is there anything in either one of your gentlemen's imagination that would be worth pulling the missiles out of Eastern Europe and capitulating and betraying the Poles and the Czechs and the rest of the region when they say that we have sold

them out and stabbed them in the back, sold them out to the Russians and stabbed them in the back? How could a President get a trade, a quid pro quo? What could it possibly be?

I had one of the defenders of the White House say to me, well, it would be because surely the President got something for it. Maybe he got a promise that Putin would help negotiate with Iran to slow down their nuclear development capability.

Really. It's been expanded.

Mr. AKIN. You know, that's kind of interesting, because the missile technology that Iran has gotten came from the Soviet Union. So if the Soviet Union were really serious about reducing Iran's capability, at least in the area of delivering large missiles, then they are certainly approaching it from a rather unique point of view of selling missile technology to Iran. I don't think your proposition seems to make sense.

If the President got something for giving up missile defense in Europe, it wouldn't make sense that he got something from the very country that had been giving Iran the missile-building capability.

I don't know anything that he got for that. I am not sure that maybe he didn't just do it just to be a nice guy or something. I don't see anything that he got that would be valuable enough risking our population to the population of Western Europe. So you have really caught me. I really don't know the answer to your question.

I hope the gentleman from Arizona knows what the President got.

Mr. KING of Iowa. I am looking for some imaginary response. What could the quid pro quo be? What would be worth giving up a shield, a shield against the nuclear capability of Iran, and diplomatically, economically, tactically, strategically? Does the gentleman from Arizona have any ideas?

Mr. FRANKS of Arizona. Well, I guess my first postulation here was that Iran, having a nuclear capability, changed everything, because it potentially worked on this coincidence of jihad and nuclear proliferation, where it empowered Iran to give nuclear weapons to terrorists. It's so hard for me to see a world like that, that I guess that's my central focus.

□ 2220

The only thing that I can put forward at all is that the President was somehow assured by Russia that that wouldn't happen if we work with Russia. But the problem is that Russia has sold us their influence about half a dozen times now—and we've gotten nothing for it.

And, secondarily, the most critical component in a nuclear program is not missile technology. Missile technology is beginning to proliferate the world over. I mean it is astonishing how much missile capability even smaller countries are beginning to have now. That mule is out of the barn, as they say.

But the fissile material or the material for making nuclear weapons is really the crux here. And Russia has delivered nuclear fuel to Iran already. So how do we somehow take their word for this situation? It's always amazing to me.

I think that Mr. Obama, in all deference to the President, is somehow ignoring the lessons of history. Where we see malevolent individuals or countries push forward to try to push back the forces of freedom, and someone blinks, as Mr. Halpern put it. Someone blinks.

There was a time when Gorbachev stared in the eyes of Ronald Reagan. And Gorbachev had to blink because Ronald Reagan didn't. He transcended hundreds of millions because Reagan had the courage to stand strong, even above the din of the liberal media in his own country.

There was a time when one of the other Russian premiers tried to stare down President John Kennedy. John Kennedy stood strong and wouldn't back up. Where would we be had that not happened?

In just recent days, Mr. Putin stared President Obama in the eye—and Mr. Obama blinked. And it has historic and grave consequences, I believe, for the free world, and especially for America and our future generations. And I am just very concerned as we go forward now that this President is going to somehow say, Well, Iran probably can have a peaceful nuclear program.

Well, let me just say to you, by the way, that Iran has so much natural gas that it would be scales of 10 cheaper for them just to produce their electricity with natural gas than to build a nuclear power plant to produce electricity. So that's a completely ridiculous notion.

But here's what I'm afraid of. I'm afraid this President is either going to naively or somehow, in the hope that he, in his broadmindedness, will convince jihad to change their mind, which they have had for hundreds of years, to change theirs—and it's just not going to happen that way.

I fear that he is going to allow Iran to go forward with a so-called peaceful nuclear program that will allow them in a very short period of time to become a nuclear weapons power in the world and translate that to not only proliferation to other rogue states, but to terrorists and, again, take us into that Samarian night when our children may have to face nuclear terrorism.

I just feel like if we let this happen now, that we're making a terrible mistake, and future generations will pay that price.

Mr. KING of Iowa. Reclaiming my time, I just contemplate sometimes the naivete that can take place when you look around the globe. I remember going up to Canada and picking up some of their history books and reading the things in history from a Canadian perspective versus an American perspective. That's the first time I realized that everybody doesn't under-

stand history the same in the world. You understand it from your own perspective.

I took a legal trip down to Cuba and traveled there with a professor of Cuban history for several days, and he began to tell me about the Spanish-Cuban-American War of 1898. I never thought Cuba had anything to do with it. I thought it was the Spanish-American War. So there's a couple little snapshots.

I take you back to late February of this year, sitting in Moscow with former Prime Minister Gorbachev, who gave a lecture to me and a number of Members of Congress that he could still be ruling Russia and the Soviet Union and could have held the entire USSR together if he'd chosen to do so.

But he identified the German will for unity, and so he decided to go forward with glasnost and perestroika and open up the borders and bring about what was—let me say the “devolution” of the Soviet empire willingly. What a breathtaking view of history. He said the United States had nothing to do with it. And I'm sitting there listening to that.

He also wanted to know if there were any Republicans in the room, so he identified me right away. He accused me of going hunting with Dick Cheney.

In any case, the philosophy that the United States had nothing to do with ending the Cold War, that that clash of titans wasn't resolved in that economic and military tactical arena that Jeane Kirkpatrick talked about, but only because of the good will of Mikhail Gorbachev recognizing the desire for German unity, when you see that and you look at the European philosophy that dialogue is progress.

They came to this Capitol in September of 2003, the ambassadors to the United States from France, Germany, and Great Britain, to plead with us—wasn't quite a plea—to argue to us and try to sell us on the idea that we should open up dialogue with Iran to talk them out of a nuclear capability. At that point I said, What are you willing to do? They said, We want dialogue to open.

Okay, then what? Are you willing to go to the United Nations for resolutions, are you willing to do sanctions, are you willing to do blockades? Are you willing to lay the “or what” line out there that says if you cross this line, then we will by force resolve this issue? And if that happens, where are you going to be on that day and with what? And they just backed away from that like they had seen a ghost. Their entire mission was, dialogue was progress.

Now if we've got a viewpoint, a European viewpoint that dialogue is progress and you can always talk away your differences, that's a philosophy that doesn't fit the American viewpoint. We don't go to the Neville Chamberlain School of Diplomacy, as perhaps Obama did.

Then you have to also put into that the mindset of Putin, the Russians,

Gorbachev, the mullahs in Iran, the Islamic approach, the nuclear jihad approach. We can't measure this on the part of just simply the good will of the United States controls missiles in Iran. And I'm afraid the President has come to that conclusion—that his good will will control missiles in Iran.

The gentleman from Missouri.

Mr. AKIN. Well, I'm inclined to, as you start reminiscing that we don't learn from history, one of the things that I remember hearing about is when I was first elected to Congress in 2001, I was on the Armed Services Committee and we made the votes to fund the building of missile defense. But there was also a guy by the name of Rumsfeld who was Secretary of Defense. He came in and spoke to us on some pretty clear kinds of lines of reasoning.

He stated, If you're Secretary of Defense, there's kind of three situations. There's the things that you know about that you should worry. And those are things that are of concern to us. But the things that are particularly of concern are the things we don't know about, that we should worry. And then he gave an example of that.

One of the examples was, we had a treaty with the Soviet Union. And the treaty said that nobody is going to build biological weapons. And what had come out was in fact that the Soviet Union had all kinds of missiles pointed at America with biological weapons in those missiles, including smallpox. And so we didn't have a clue because we took their good will that they certainly wouldn't violate a treaty.

It seems to me that a more American way of thinking is if you're worried about somebody shooting a nuclear missile at you, maybe we just ought to have the capability of shooting it down before it even gets over our ground. That seems to be an awful lot more dependable mindset than trusting people who have systematically lied to us in the past.

This was a terrible decision by our administration. It can be viewed in no other light. It can only be viewed as stepping away from the responsibility of defending American citizens and Western European citizens and creating a less stable world.

This is not a decision that the American people should let stand. This is something that must be reversed. It requires action on the part of people who are patriots and people who love this country, who love life and freedom itself.

Mr. KING of Iowa. Reclaiming from the gentleman from Missouri, I refer to a statement made by John Bolton, before I yield to the gentleman from Arizona. John Bolton, a former ambassador to the United Nations and a solid, very brilliant, tactical-thinking man, diplomatically tactical-thinking man.

He said that the President's decision not to deploy antiballistic missile defense is unambiguously wrong. It reflects a concession to Russian belligerence and an embarrassing abandonment of two of America's strongest allies and an appalling lack of understanding of the present and future risk posed by Iran.

□ 2230

"Worse, this unforced retreat of American hard power clearly signals what may well be a long American recession globally."

That is a chilling analysis.

I yield to the gentleman from Arizona.

Mr. FRANKS of Arizona. Thank you, Mr. KING, for yielding.

I guess you said it best a moment ago when you just talked about history. Someone a long time ago said that those who don't learn from the mistakes of the past are doomed to repeat them. Someone said that the only thing we learn from history is that we don't learn from history.

But Dostoevsky said it this way: he said, He who controls the present controls the past and he who controls the past controls the future. And I think he capsulized what the liberal intelligencia have done today. They have tried to rewrite history in order to try to shape the future.

And it concerns me greatly because if you look just in a cursory glance at history, especially since the nuclear age came upon us, when we had a great enemy in the Soviet Union, they had thousands of warheads aimed at us with nuclear missiles; we had thousands aimed at them. There was almost a fearful tension there because they knew if they launched against us that we could launch against them while the missiles that they'd launched were still in the area and we would destroy each other. So we called this "mutually assured destruction," and there was a kind of a grim peace that was achieved because we put our security in their sanity and they did the same for us.

But some things have changed in history since then. First of all, terrorism has come upon us, and, second of all, nuclear proliferation has begun to make a march across the world. And now we live in a generation that sees terrorism or this jihad coming together with nuclear proliferation. And when you put those two things together, all of the historical precedents seem to fade because now you face an enemy with an ultimate capacity, whether it be just a nuclear warhead in one of our cities or launching a missile at us or even launching an EMP attack, that we haven't talked about tonight, but I hope that Members really try to learn about that. We face a situation where an enemy that has no regard for its own life, that they will be willing to kill their own children in order to kill ours, are eventually, if we continue down this path, going to find their way

to the nuclear button. And if they do and terrorists the world over gain this technology, it will change our concept of freedom forever.

I am convinced that there's nothing that Osama bin Laden and al Qaeda would like to do more than put a nuclear weapon about a hundred yards off the steps of this building and decapitate this country. And you say, well, that's an impossible scenario. It's an unthinkable scenario, but I assure you it's not impossible.

And to somehow blink and take away our capability to devalue nuclear programs in the world, as missile defense does, or to stop an incoming missile when we have to, to somehow blink in that situation is to hasten a day like that. I hope that somehow we regain our sanity in time and realize how serious the equation really is.

I appreciate so much the gentleman yielding to me tonight.

Mr. KING of Iowa. I appreciate the gentleman's coming to the floor and the background and the effort that he has put into this thing for all of these years and having emerged as one of a small handful of leaders on nuclear technology and the missile defense shield, as Mr. AKIN has as well.

I want to reiterate a statement that you made: we put our security in their sanity. That being the Russian's sanity, not the mullahs' sanity because the mullahs have a different level of rationale if you would like to call it rational at all.

Mr. Speaker, I will include in the RECORD the two articles that I addressed in my statement.

[From the Washington Times, Sept. 22, 2009]

ERRING ON THE SIDE OF INCAUTION

(By John R. Bolton)

President Obama's decision not to deploy anti-ballistic missile defense assets in Poland and the Czech Republic is unambiguously wrong. It reflects an unrequited concession to Russian belligerence, an embarrassing abandonment of two of America's strongest European allies, and an appalling lack of understanding of the present and future risks posed by Iran. Worse, this unforced retreat of American hard power clearly signals what may well be a long American recession globally.

First, Mr. Obama's capitulation was about Russia, not about Iraq. Russia has always known that former President George W. Bush's national missile defense project was not aimed against Russia's offensive nuclear capabilities, neither in scope nor in geographical deployment. To the contrary, our common interests in defending against threats from rogue states should have led to missile-defense cooperation, not antagonism.

What has really agitated Russia was not that the sites were for missile defense, but that they were an American presence in former Warsaw Pact countries, Russia's now-defunct sphere of influence.

Now, without anything resembling a quid pro quo from Moscow, Washington has dramatically reduced its presence and isolated its own friends. In Russia and Eastern Europe, the basic political conclusion is straightforward and worrying: Russia, a declining, depopulating power, growled, and the United States blinked. This devastating reaction extends worldwide, especially

among our Pacific allies, who fear similar unilateral U.S. concessions in their region.

"It is far better to err on the side of U.S. security than on the side of greater risk of nuclear devastation. There is no harm in deploying our missile defenses before Iran's ICBMs can reach America, but incalculable risk if Iran is ready before we are."

Second, Mr. Obama's proposed new missile defense deployments will not protect the United States against Iranian ICBMs, for which the Eastern European sites were primarily intended. Protecting Europe was only an ancillary, although welcome side effect, one intended to help calm European concern that the United States would abandon Europe and embrace isolationism behind national missile defenses.

Western Europe, not surprisingly, seems largely content with the Obama-projected alternative, which, if implemented, would protect Europe, but would have few tangible benefits for America.

Thus, despite Mr. Obama's rhetoric about replacing one missile defense design with a more effective one, the systems in question are aimed at two completely different objectives. Of course, it also remains to be seen whether and exactly how the administration will actually implement its projected deployment, and what new risks are entailed.

For example, U.S. ships deployed in the Black Sea would be fully exposed to Russia's naval capabilities, in contrast to more secure bases in continental Europe. Failure to implement the new plan aggressively will be seen as yet another failure of American will.

Mr. Obama's public explanation omitted any acknowledgment that the Eastern European deployments were never intended to counter existing Iranian threats, but rather were to protect against threats maturing in the future. Obviously, to be ahead of the curve and ready before Iran's threat became real, we had to begin deployment now, not in the distant future. Instead, Mr. Obama's decision effectively forecloses our ability to be ready when the real need arises.

Third, although purportedly based on new intelligence assessments about Iran's capabilities, Mr. Obama's announcement simply reflected his own longstanding biases against national missile defense. He has never believed in it strategically, or that it could ever be made operationally successful.

The new intelligence "estimate" agreeably minimizes the threat posed by Iranian ICBMs, thus facilitating a decision to cancel that had been all but made during last year's campaign. The assessment, as briefed to Congress immediately after the president's announcement, involved no actual new intelligence, but only a revised prediction of Iran's future capabilities.

The new "assessment" also confirmed the administration's often-expressed and so far frustrated desire to negotiate with Iran over Tehran's nuclear weapons program. That schedule has slipped badly, leaving Mr. Obama running out of time for diplomatic endeavors.

Moreover, stronger economic sanctions, his fallback position, are increasingly unlikely to be comprehensive or strict enough to actually stop Iran's nuclear program before completion. How convenient, therefore, to suddenly "find" more time on the missile front, thus facilitating a diplomatic strategy that had been increasingly headed toward disastrous failure. Moreover, whatever the available intelligence, it does not determine what levels of international risk we should accept. Mr. Obama has too high a tolerance for such risk.

He is too willing to place America in jeopardy of Iran's threat, a calculus exactly opposite from what we should use. It is far better to err on the side of U.S. security than on

the side of greater risk of nuclear devastation. There is no harm in deploying our missile defenses before Iran's ICBMs can reach America, but incalculable risk if Iran is ready before we are.

Mr. Obama's rationale for abandoning the Eastern European sites ignores the important reasons they were created, underestimates the Iranian threat, and bends the knee unnecessarily to Russia. This all foreshadows a depressing future. Our president, uncomfortable with projecting American power, is following the advice of his intellectual predecessor George McGovern: "Come home, America." Both our allies and adversaries worldwide will take due note.

[From the Wall Street Journal, Sept. 23, 2009]

OBAMA AND THE POLITICS OF CONCESSION—
IRAN AND RUSSIA PUT OBAMA TO THE TEST
LAST WEEK, AND HE BLINKED TWICE
(By Mark Helprin)

During last year's campaign, Sen. Joe Biden famously remarked that, if his ticket won, it wouldn't be long before "the world tests Barack Obama like they did John Kennedy" on foreign affairs. Last week, President Obama, brilliantly wielding the powers of his office, managed to fail that test not just once but twice, buckling in the face of Russian pressure and taking a giant wooden nickel from Iran.

With both a collapsing economy and natural gas reserves sufficient to produce 270 years of electricity, the surplus of which it exports, Iran does not need nuclear electrical generation at a cost many times that of its gas-fired plants. It does, however, have every reason, according to its own lights, to seek nuclear weapons—to deter American intervention; to insure against a resurgent Iraq; to provide some offset to nearby nuclear powers Pakistan, Russia and Israel; to move toward hegemony in the Persian Gulf and address the embarrassment of a more militarily capable Saudi Arabia; to rid the Islamic world of Western domination; to neutralize Israel's nuclear capacity while simultaneously creating the opportunity to destroy it with one shot; and, pertinent to last week's events, by nuclear intimidation to turn Europe entirely against American interests in the Middle East.

Some security analysts may comfort themselves with the illusion that soon-to-be nuclear Iran is a rational actor, but no country gripped so intensely by a cult of martyrdom and death that to clear minefields it marched its own children across them can be deemed rational. Even the United States, twice employing nuclear weapons in World War II, seriously contemplated doing so again in Korea and then in Vietnam.

The West may be too pusillanimous to extirpate Iran's nuclear potential directly, but are we so far gone as to forswear a passive defense? The president would have you think not, but how is that? We will cease developing the ability to intercept, within five years, the ICBMs that in five years Iran is likely to possess, in favor of a sea-based approach suitable only to Iranian missiles that cannot from Iranian soil threaten Rome, Paris, London or Berlin. Although it may be possible for the U.S. to modify Block II Standard Missiles with Advanced Technology Kill Vehicles that could disable Iranian missiles in their boost phase, this would require the Aegis destroyers carrying them to loiter in the confined and shallow waters of the Gulf, where antimissile operations would be subject to Iranian interference and attack.

Interceptors that would effectively cover Western Europe are too big for the vertical launch cells of the Aegis ships, or even their hulls. Thus, in light of the basing difficulties

that frustrate a boost-phase kill, to protect Europe and the U.S. Mr. Obama proposes to deploy land-based missiles in Europe at some future date. If he is willing to do this, why not go ahead with the current plans? The answer is that, even if he says so, he will not deploy land-based missiles in Europe in place of the land-based missiles in Europe that he has cancelled because they are land-based in Europe.

What we have here is an inadvertent homage to Lewis Carroll: We are going to cancel a defense that takes five years to mount, because the threat will not materialize for five years. And we will not deploy land-based interceptors in Europe because our new plan is to deploy land-based interceptors in Europe.

Added to what would be the instability and potentially grave injury following upon the appearance of Iranian nuclear ICBMs are two insults that may be more consequential than the issue from which they arise. Nothing short of force will turn Iran from the acquisition of nuclear weapons, its paramount aim during 25 years of secrecy and stalling. Last fall, President Mahmoud Ahmadinejad set three conditions for the U.S.: withdrawal from Iraq, a show of respect for Iran (read "apology"), and taking the nuclear question off the table.

We are now faithfully complying, and last week, after Iran foreclosed discussion of its nuclear program and Mojtaba Samareh Hashemi, Mr. Ahmadinejad's chief political adviser, predicted "the defeat and collapse" of Western democracy, the U.S. agreed to enter talks the premise of which, incredibly, is to eliminate American nuclear weapons. Even the zombified press awoke for long enough to harry State Department spokesman P.J. Crowley, who replied that, as Iran was willing to talk, "We are going to test that proposition, OK?"

Not OK. When Neville Chamberlain returned from Munich at least he thought he had obtained something in return for his appeasement. The new American diplomacy is nothing more than a sentimental flood of unilateral concessions—not least, after some minor Putinesque sabre rattling, to Russia. Canceling the missile deployment within NATO, which Dmitry Rogozin, the Russian ambassador to that body, characterizes as "the Americans . . . simply correcting their own mistake, and we are not duty bound to pay someone for putting their own mistakes right," is to grant Russia a veto over sovereign defensive measures—exactly the opposite of American resolve during the Euro Missile Crisis of 1983, the last and definitive battle of the Cold War.

Stalin tested Truman with the Berlin Blockade, and Truman held fast. Khrushchev tested Kennedy, and in the Cuban Missile Crisis Kennedy refused to blink. In 1983, Andropov took the measure of Reagan, and, defying millions in the street (who are now the Obama base), Reagan did not blink. Last week, the Iranian president and the Russian prime minister put Mr. Obama to the test, and he blinked not once but twice. The price of such infirmity has always proven immensely high, even if, as is the custom these days, the bill has yet to come.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DOYLE of Pennsylvania (at the request of Mr. HOYER) for after noon today and for the balance of the week on account of attending the G-20 Summit in Pittsburgh, Pennsylvania.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PETERS) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. TOWNS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. TONKO, for 5 minutes, today.

Mr. PETERS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. FLEMING) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, September 30.

Mr. JONES, for 5 minutes, September 30.

Mr. GOHMERT, for 5 minutes, today and September 24.

Mr. FLAKE, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 1677. An act to reauthorize the Defense Production Act of 1950, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on September 21, 2009 she presented to the President of the United States, for his approval, the following bill.

H.R. 1243. To provide for the award of a gold medal on behalf of Congress to Arnold Palmer in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 35 minutes p.m.), the House adjourned until tomorrow, Thursday, September 24, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3716. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Methoxyfenozide; Pesticide Tolerances [EPA-HQ-OPP-2009-0012; FRL-8433-8] received September 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3717. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pesticide Tolerance Nomenclature Changes; Technical Amendment

[EPA-HQ-OPP-2009-0043; FRL-8432-2] received September 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3718. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Acetochlor; Pesticide Tolerances [EPA-HQ-OPP-2009-0002; FRL-8434-1] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3719. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Aminopyralid; Pesticide Tolerance [OPP-2004-0139; FRL-7724-8] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3720. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Azinphos-methyl, Disulfoton, Esfenvalerate, Ethalene oxide, Fenvalerate, et al.; Tolerance Actions [EPA-HQ-OPP-2008-0834; FRL-8426-2] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3721. A letter from the Director, Regulatory Management Agency, Environmental Protection Agency, transmitting the Agency's final rule — Pendimethalin; Pesticide Tolerances [EPA-HQ-OPP-2008-0876; FRL-8431-2] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3722. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Saflufenacil; Pesticide Tolerances [EPA-HQ-OPP-2008-0352; FRL-8430-4] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3723. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — School Breakfast Program: Severe Need Assistance [FNS-2005-0008] (RIN: 0584-AD50) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

3724. A letter from the Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Assistance Regulations (RIN: 1991-AB77) September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3725. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Adequacy of Kansas Municipal Solid Waste Landfill Permit Program [EPA-R07-RCRA-2009-0646; FRL-8953-3] received September 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3726. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Emissions Inventory; Baton Rouge Ozone Nonattainment Area [EPA-R06-OAR-2007-1064; FRL-8952-5] received September 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3727. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Opacity Variance for Rocket Testing Operations Atlantic Research Corporation's Orange County Facility [EPA-R03-OAR-2009-0520; FRL-8953-1] received September 2, 2009,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3728. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — State and Local Assistance; Technical Correction [EPA-HQ-SFUND-2009-0617; FRL-8953-8] received September 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3729. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Redesignation of the Cleveland-Akron-Lorain Area to Attainment for Ozone [EPA-R05-OAR-2009-0221; FRL-8952-1] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3730. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Redesignation of the Columbus Area to Attainment for Ozone [EPA-R05-OAR-2009-0220; FRL-8952-2] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3731. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Excess Emissions [EPA-R06-OAR-2008-0815; FRL-8954-7] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3732. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Final DTV Table of Allotments, Televisions Broadcast Stations (Fond du Lac, Wisconsin) [MB Docket No. 09-115] received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3733. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Table of Allotments, FM Broadcast Stations (Waverly, Alabama) [MB Docket No.: 09-54] received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3734. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Table of Allotments, FM Broadcast Stations (Batesville, Texas) [MB Docket No.: 08-227] received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3735. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Final DTV Table of Allotments, Television Broadcast Stations (Ann Arbor, Michigan) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3736. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Final DTV Table of Allotments, Television Broadcast Stations (Santa Fe, New Mexico) [MB Docket No.: 09-110] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3737. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Final DTV Table of Allotments, Tele-

vision Broadcast Stations (Colorado Springs, Colorado) [MB Docket No. 09-111] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3738. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Table of Allotments, FM Broadcast Stations (Dulac, Louisiana) [MB Docket No. 09-18] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3739. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Table of Allotments, FM Broadcast Stations (Ten Sleep, Wyoming) [MB Docket No.: 08-242] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3740. A letter from the Executive Director, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Annual Update of Filing Fees [Docket No.: RM09-17-000] received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3741. A letter from the Director, U.S. Census Bureau, Department of Commerce, transmitting the Department's final rule — Foreign Trade Regulations (FTR): Eliminate the Social Security Number (SSN) as an identification number in the Automated Export System (AES) [Docket Number: 090422707-9708-01] (RIN: 0607-AA48) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3742. A letter from the Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Nondiscrimination in Federally Assisted Railroad Programs; Removal [Docket No.: FRA-2008-0117, Notice No. 1] (RIN: 2130-AB98) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3743. A letter from the Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish and Pelagic Shelf Rockfish for Trawl Catcher Vessels Participating in the Entry Level Rockfish Fishery in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 0910091344-9056-02] (RIN: 0648-XQ58) August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3744. A letter from the Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shortracker Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 0910091344-9056-02] (RIN: 0648-XQ57) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3745. A letter from the Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Catcher Processors Participating in the Rockfish Limited Access Fishery in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 0910091344-9056-02] (RIN: 0648-XQ59) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3746. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska [Docket No.: 0910091344-

9056-02] (RIN: 0648-XQ72) received September 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3747. A letter from the Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XQ76) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3748. A letter from the Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Other Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XQ75) received September 11, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3749. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Closure of the Primary Pacific Whiting Season for the Shore-Based Sector [Docket No. 090428799-9802-01] (RIN: 0648-XQ39) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3750. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Department of Commerce, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XQ51) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3751. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Fisheries Off West Coast States; Highly Migratory Species Fisheries [Docket NO.: 080226308-9700-02] (RIN: 0648-AW50) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3752. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation, Fran Schnarr Open Water Championships, Huntington Bay, NY [USCG-2009-0520] (RIN: 1625-AA08) received August 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3753. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Pilot, Flight Instructor, and Pilot School Certification [Docket No.: FAA-2006-26661; Amendment Nos. 61-124, 91-309 and 141-12] (RIN: 2120-AI86) received September 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3754. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Medication Prescribed by Non-VA Physicians (RIN: 2900-AL68) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3755. A letter from the Director of Regulation Management, Department of Veterans Affairs, transmitting the Department's final rule — Presumption of Service Connection for Osteoporosis for Former Prisoners of War (POWs) and Former POWs diagnosed with Posttraumatic Stress Disorder (PTSD) (RIN: 2900-AN16) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3756. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Annual Paid Time Off Contributions (Rev. Rul. 2009-31) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3757. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Automatic Contribution Increases under Automatic Contribution Arrangements (Rev. Rul. 2009-30) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3758. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 2009 Marginal Production Rates [Notice 2009-74] received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3759. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Corrections to Rev. Proc. 2009-39 Regarding Taxpayers Before the Joint Committee on Taxation (Announcement 2009-67) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3760. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 2009 Section 43 Inflation Adjustment [Notice 2009-73] received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3761. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Adding Automatic Enrollment to SIMPLE IRA Plans — Sample Amendment [Notice 2009-67] received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3762. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Automatic Enrollment in SIMPLE IRAs [Notice 2009-66] received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3763. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Adding Automatic Enrollment to Section 401(k) Plans—Sample Amendments [Notice 2009-65] received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3764. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Examination of Returns and claims for refund, credit or abatement; determination of correct tax liability (Rev. Proc. 2009-38) received September 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3765. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — ICE Futures Canada, Inc., a regulated exchange of Canada, is a qualified board or exchange of Canada (Rev. Rul. 2009-24) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3766. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Employer Comparable Contributions to Health Savings Accounts under Section 4980G, and Requirement of Return for Filing of the Excise Tax under Section 4980B, 4980D, 4980E, or 4980G [TD 9457] (RIN: 1545-BG71) received September 9, 2009, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Ways and Means.

3767. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Reasonable Good Faith Interpretation of Required Minimum Distribution Rules by Governmental Plans [TD 9459] (RIN: 1545-BH53) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3768. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Effect on Earnings and Profits (Rev. Rul. 2009-25) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3769. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Application of insurance principles to whether a reinsurance arrangement is sufficient for the assuming company to qualify as an insurance company under section 831(c) (Rev. Rul. 2009-26) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3770. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Modification to Consolidated Return Regulation Permitting an Election to Treat a Liquidation of a Target, Followed by Reacquisition to a New Target, as a Cross-Chain Reorganization [TD 9458] (RIN: 1545-B172) received September 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3771. A letter from the Deputy Chief Counsel, Regulations and Security Standards, Department of Homeland Security, transmitting the Department's "Major" final rule — Air Cargo Screening [Docket No.: TSA-2009-0018; Amendment Nos. 1515-1, 1520-8, 1522-New, 1540-10, 1544-9, 1546-5, 1548-5, 1549-New] (RIN: 1625-AA64) received September 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. MATSUI: Committee on Rules. House Resolution 766. Resolution providing for consideration of motions to suspend the rules (Rept. 111-264). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. WASSERMAN SCHULTZ (for herself and Mr. CULBERSON):

H.R. 3630. A bill to promote crime awareness and cybercrime prevention initiatives, and for other purposes; to the Committee on the Judiciary.

By Ms. TITUS (for herself, Mr. STARK, Mr. PALLONE, Mr. RANGEL, Mr. WAXMAN, Mr. DINGELL, Ms. BALDWIN, Mr. BARROW, Mr. BOUCHER, Mr. BRALEY of Iowa, Mr. BUTTERFIELD, Mrs. CAPPS, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Mr. CROWLEY, Ms. DEGETTE, Mr. DOYLE, Mr. ENGEL, Ms. ESHOO, Mr. GONZALEZ, Mr. GENE GREEN of Texas, Mr. GORDON of Tennessee, Mr. HIGGINS, Mr. LARSON of

Connecticut, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. McDERMOTT, Mrs. MALONEY, Mr. MARKEY of Massachusetts, Ms. MATSUI, Mr. MURPHY of Connecticut, Mr. PASCARELL, Mr. POMEROY, Mr. RUSH, Ms. LINDA T. SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. STUPAK, Ms. SUTTON, Mr. VAN HOLLEN, Mr. WEINER, Mr. WELCH, Mr. YARMUTH, Mr. CARDOZA, Mr. DAVIS of Illinois, and Ms. BERKLEY):

H.R. 3631. A bill to amend title XVIII to provide for the application of a consistent Medicare part B premium for all Medicare beneficiaries in a budget neutral manner for 2010; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Georgia (for himself, Mr. COBLE, Mr. CONYERS, and Mr. SMITH of Texas):

H.R. 3632. A bill to provide improvements for the operations of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Ms. HARMAN:

H.R. 3633. A bill to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BERRY (for himself, Mr. BOOZMAN, Mr. ROSS, and Mr. SNYDER):

H.R. 3634. A bill to designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the "George Kell Post Office"; to the Committee on Oversight and Government Reform.

By Mr. CAO:

H.R. 3635. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve Federal assistance with respect to disasters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HASTINGS of Florida (for himself, Ms. CORRINE BROWN of Florida, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. FILNER, Mr. AL GREEN of Texas, Mr. STARK, Mr. TOWNS, Mr. WEXLER, Mr. MEEK of Florida, Ms. SCHAKOWSKY, and Mr. HOLT):

H.R. 3636. A bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals and families, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BERKLEY (for herself, Ms. WATSON, Mr. PAYNE, Mr. FATTAH, Mrs. CHRISTENSEN, Ms. EDWARDS of Maryland, Mr. SCOTT of Georgia, Mr. ELLISON, Mr. AL GREEN of Texas, Ms. CLARKE, Ms. FUDGE, Ms. KILPATRICK of Michigan, Mr. CARSON of Indiana, Mr. CLEAVER, Mr. JOHNSON of Georgia, Ms. CORRINE BROWN of Florida, Mr. BUTTERFIELD, Mr. WATT, Mr. DAVIS of Illinois, Mr. RANGEL, Ms. RICHARDSON, Mr. DAVIS of Alabama, Mr. MEEKS of New York, Mr. CUMMINGS, Ms. LEE of California, Mr. SCOTT of Virginia, Ms. MOORE of Wisconsin, Mr. CLYBURN, Mr. BISHOP of Georgia, Mr. LEWIS of Georgia, Ms. TITUS, Mr. TOWNS, Mr. THOMPSON of Mississippi, and Mr. CONYERS):

H. Con. Res. 190. Concurrent resolution recognizing the historic founding of the Black

Stuntmen's Association and the Coalition of Black Stuntmen and Women; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself and Mr. MCGOVERN):

H. Res. 764. A resolution expressing the sense of the House of Representatives on the importance of inter-religious dialogue and the protection of religious freedom and related human rights for persons of all faiths and nationalities in the Islamic Republic of Pakistan; to the Committee on Foreign Affairs.

By Mr. LEWIS of Georgia (for himself, Mr. BARROW, Mr. SCOTT of Georgia, Mr. GINGREY of Georgia, Mr. KINGSTON, Mr. BISHOP of Georgia, Mr. WESTMORELAND, Mr. DEAL of Georgia, Mr. BROUN of Georgia, Mr. PRICE of Georgia, Mr. LINDER, Mr. JOHNSON of Georgia, Mr. MARSHALL, Mr. COHEN, Mr. NADLER of New York, Mr. BISHOP of New York, Mr. HIGGINS, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mrs. EMERSON, Mr. MCNERNEY, Mr. BLUMENAUER, Ms. DEGETTE, Mr. BRALEY of Iowa, Mr. MORAN of Kansas, Mr. PERLMUTTER, Ms. EDWARDS of Maryland, Mr. BAIRD, Ms. CLARKE, Mrs. MALONEY, Mr. BUTTERFIELD, Ms. FUDGE, Ms. KILPATRICK of Michigan, Ms. WATSON, Mr. ENGEL, Mrs. CAPPS, Ms. SLAUGHTER, Mr. HINCHEY, Ms. MOORE of Wisconsin, Mr. EDWARDS of Texas, Ms. MCCOLLUM, Mr. STARK, Mr. FARR, Mrs. DAHLKEMPER, Mr. SALAZAR, Mr. BOYD, Mr. KISSELL, Mr. DICKS, Ms. WATERS, and Ms. JACKSON-LEE of Texas):

H. Res. 765. A resolution expressing condolences to the families of the individuals killed during unusual storms and floods in the State of Georgia between September 18 and 21, 2009, and expressing gratitude to all of the emergency personnel who continue to work with unyielding determination to meet the needs of Georgia's residents; to the Committee on Transportation and Infrastructure; considered and agreed to.

By Mr. ANDREWS:

H. Res. 767. A resolution expressing support for designation of a National Animal Rescue Day to create awareness, educate humans in the importance of adoption, and create a humane environment for any pet, including the importance of spaying and neutering of animals, and the encouragement of animal adoptions throughout the United States; to the Committee on Oversight and Government Reform.

By Mrs. MCCARTHY of New York (for herself, Mr. PLATTS, Ms. CORRINE BROWN of Florida, Mrs. MALONEY, Mr. CLEAVER, Ms. BALDWIN, and Mrs. MCMORRIS RODGERS):

H. Res. 768. A resolution expressing support for the designation of the month of October as "National Work and Family Month"; to the Committee on Education and Labor.

By Mr. PLATTS (for himself, Ms. MATSUI, Mr. EHLERS, Mr. PRICE of North Carolina, and Mr. KENNEDY):

H. Res. 769. A resolution recognizing the benefits of service-learning as a teaching strategy to effectively engage youth in the community and classroom, and expressing support for the goals of the National Learn and Serve Challenge; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CARNEY:

H.R. 3637. A bill to waive the 35-mile rule to permit recognition of Tyler Memorial Hospital as a critical access hospital under the Medicare Program; to the Committee on Ways and Means.

By Mr. McDERMOTT:

H.R. 3638. A bill for the relief of Jorge-Alonso Chehade-Zegarra; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 87: Ms. FOXF.
H.R. 124: Mr. YOUNG of Florida.
H.R. 137: Mr. WITTMAN.
H.R. 510: Mr. GRAVES.
H.R. 571: Ms. PINGREE of Maine.
H.R. 615: Mr. LATHAM.
H.R. 622: Mr. KINGSTON.
H.R. 658: Mr. HIGGINS, Ms. FUDGE, Ms. PINGREE of Maine, and Mr. VISCLOSKY.
H.R. 690: Mr. ISSA.
H.R. 734: Mr. LANCE.
H.R. 745: Mr. HOLT.
H.R. 816: Mr. DAVIS of Alabama, Mr. MACK, Mr. COFFMAN of Colorado, Mr. MURPHY of Connecticut, Ms. EDWARDS of Maryland, Mr. LIPINSKI, and Mr. ISRAEL.
H.R. 950: Mr. ELLISON.
H.R. 953: Mr. MURPHY of New York and Mr. COURTNEY.
H.R. 968: Mr. HOEKSTRA.
H.R. 997: Mr. LATHAM.
H.R. 1086: Mr. LEE of New York, Mr. HOEKSTRA, and Mr. GARY G. MILLER of California.
H.R. 1134: Ms. BALDWIN.
H.R. 1135: Mr. HOLDEN.
H.R. 1173: Ms. KOSMAS.
H.R. 1182: Mr. FRANKS of Arizona and Mrs. LOWEY.
H.R. 1189: Mr. CARNAHAN.
H.R. 1207: Mr. LEWIS of Georgia and Mr. ARCURI.
H.R. 1215: Mr. WU, Mr. CARSON of Indiana and Mr. FRANK of Massachusetts.
H.R. 1233: Mr. SENSENBRENNER.
H.R. 1245: Mr. LATHAM, Mr. BLUNT, and Mr. COSTA.
H.R. 1283: Mr. PERLMUTTER.
H.R. 1326: Mr. POLIS.
H.R. 1362: Mr. GONZALEZ, and Mr. BOCCIERI.
H.R. 1402: Mr. SHULER.
H.R. 1408: Ms. HERSETH SANDLIN.
H.R. 1428: Mr. HOLT and Mr. LEVIN.
H.R. 1490: Ms. WASSERMAN SCHULTZ and Mr. ARCURI.
H.R. 1547: Mr. BRADY of Texas, Ms. FALLIN, and Mr. MICA.
H.R. 1557: Mr. MURPHY of New York.
H.R. 1570: Ms. ROS-LEHTINEN.
H.R. 1585: Mr. CASTLE.
H.R. 1618: Ms. TITUS.
H.R. 1623: Mr. CRENSHAW.
H.R. 1633: Mr. CALVERT.
H.R. 1677: Mr. SHIMKUS and Mr. WILSON of Ohio.
H.R. 1691: Mr. SHULER.
H.R. 1702: Ms. TSONGAS and Mr. CARSON of Indiana.
H.R. 1792: Mr. LATHAM.
H.R. 1826: Mr. YARMUTH.
H.R. 1927: Mr. SIREN and Mr. MASSA.
H.R. 1963: Mr. BISHOP of Georgia and Ms. CORRINE BROWN of Florida.
H.R. 2002: Mr. PAUL and Ms. WASSERMAN SCHULTZ.
H.R. 2006: Mr. CARNAHAN.
H.R. 2017: Mr. MICHAUD.
H.R. 2055: Ms. SPEIER.
H.R. 2057: Mr. CAPUANO.
H.R. 2067: Ms. SCHWARTZ.
H.R. 2112: Mr. HONDA, Ms. SHEA-PORTER, Mr. JOHNSON of Georgia, and Ms. ROYBAL-ALLARD.

H.R. 2138: Mr. FILNER.
H.R. 2149: Mr. ALEXANDER.
H.R. 2243: Mrs. MCMORRIS RODGERS.
H.R. 2254: Mr. GONZALEZ, Mr. DRIEHAUS, Mr. THOMPSON of Mississippi, Ms. ESHOO, Ms. TITUS, Mr. HALL of Texas, Mr. SHERMAN, Mr. MAFFEI, and Mr. CARSON of Indiana.
H.R. 2305: Mr. MARCHANT, Mr. PLATTS, and Mr. MANZULLO.
H.R. 2329: Mr. KAGEN.
H.R. 2365: Mr. TIERNEY.
H.R. 2393: Mrs. MILLER of Michigan.
H.R. 2421: Mr. DEAL of Georgia, Mr. HARP-ER, Mrs. MCCARTHY of New York, Mr. MCCLINTOCK, Mr. MARSHALL, Mr. TIM MURPHY of Pennsylvania, Mr. POSEY, Mr. REICHERT, Mr. SCHIFF, Ms. MARKEY of Colorado, Mrs. DAHLKEMPER, and Mr. WILSON of Ohio.
H.R. 2452: Mrs. BLACKBURN, Ms. ROS-LEHTINEN, Mr. BOSWELL, and Mr. SMITH of New Jersey.
H.R. 2499: Mr. GRIJALVA.
H.R. 2523: Mr. FALEOMAVAEGA.
H.R. 2542: Mr. REICHERT.
H.R. 2567: Mr. KENNEDY.
H.R. 2573: Mr. BRADY of Pennsylvania.
H.R. 2593: Mr. KISSELL.
H.R. 2672: Mr. BUCHANAN.
H.R. 2743: Ms. BERKLEY and Ms. TITUS.
H.R. 2801: Mr. LATHAM.
H.R. 2808: Mr. HERGER.
H.R. 2811: Ms. BERKLEY.
H.R. 2835: Ms. ZOE LOFGREN of California.
H.R. 2935: Mr. MCNERNEY, Mr. COURTNEY, Mr. WELCH, Ms. KOSMAS, Mr. CARNAHAN, and Mr. GALLEGLY.
H.R. 2964: Mr. BOUCHER.
H.R. 2980: Mr. MINNICK.
H.R. 3017: Ms. VELÁZQUEZ, Mr. MURPHY of New York, and Mr. TONKO.
H.R. 3037: Mr. HIMES and Mr. CLAY.
H.R. 3039: Mrs. BIGGERT.
H.R. 3057: Mr. MCGOVERN and Mr. GRIJALVA.
H.R. 3070: Mr. COURTNEY.
H.R. 3116: Mr. GRIFFITH, Ms. FOXX, Mrs. DAHLKEMPER, Mr. SHULER, Ms. SHEA-PORTER, and Mr. SPRATT.
H.R. 3135: Mr. McDERMOTT.
H.R. 3136: Mr. McDERMOTT and Mr. SESTAK.
H.R. 3178: Mr. DOGGETT.
H.R. 3201: Mrs. MCMORRIS RODGERS.
H.R. 3203: Mrs. MCMORRIS RODGERS and Mr. MINNICK.
H.R. 3225: Ms. DELAURO.
H.R. 3245: Mr. CLAY, Mr. CUMMINGS, and Mr. BRADY of Pennsylvania.
H.R. 3250: Ms. SLAUGHTER, Ms. VELÁZQUEZ, and Mr. WEINER.

H.R. 3253: Ms. SLAUGHTER.
H.R. 3256: Mr. GRAVES.
H.R. 3284: Mr. CAMPBELL.
H.R. 3310: Mr. FLAKE.
H.R. 3322: Mr. ARCURI.
H.R. 3365: Mr. PETERSON, Mr. EHLERS, and Mr. PIERLUISI.
H.R. 3369: Mr. ROONEY.
H.R. 3407: Mr. CARSON of Indiana and Mr. BOOZMAN.
H.R. 3408: Mr. FILNER, Mr. HARE, Mr. LIPIN-SKI, Ms. BERKLEY, Ms. CHU, and Mr. KAGEN.
H.R. 3412: Mr. MCMAHON.
H.R. 3413: Mr. RODRIGUEZ.
H.R. 3421: Ms. LEE of California, Mr. MAN-ZULLO, and Mr. MEEK of Florida.
H.R. 3480: Mr. ROTHMAN of New Jersey, and Mr. MCGOVERN.
H.R. 3515: Mrs. BIGGERT.
H.R. 3535: Mr. MASSA.
H.R. 3554: Mr. BISHOP of New York and Mr. PIERLUISI.
H.R. 3569: Mr. LATTI, Mr. ROGERS of Ken-tucky, Mr. JOHNSON of Illinois, and Mr. MIL-LETER of Florida.
H.R. 3571: Mr. GARY G. MILLER of Cali-fornia, Mr. WITTMAN, and Mrs. EMERSON.
H.R. 3580: Mr. SMITH of Texas.
H.R. 3594: Mr. NEUGEBAUER and Mr. AKIN.
H.R. 3597: Mr. TIERNEY and Mr. DELAHUNT.
H.R. 3608: Mr. HEINRICH.
H.R. 3611: Mr. KLINE of Minnesota, Mr. PENCE, Mr. MILLER of Florida, Mr. POE of Texas, Mr. MARCHANT, Mr. POSEY, Mr. MASSA, Mr. THOMPSON of Pennsylvania, Ms. ROS-LEHTINEN, Mr. MACK, Mr. REICHERT, Mr. BOOZMAN, Mr. AKIN, Mr. BURTON of Indiana, Mr. ROGERS of Kentucky, Mr. ROE of Ten-nessee, Mr. BROWN of South Carolina, Mr. BARTLETT, Mr. HOEKSTRA, Mr. GRIFFITH, Mr. BISHOP of Utah, Mr. GINGREY of Georgia, Mr. DEAL of Georgia, Mr. PITTS, Mr. WESTMORE-LAND, Mr. ROHRABACHER, Mr. HALL of Texas, Mrs. BACHMANN, Mr. COFFMAN of Colorado, Mr. MARIO DIAZ-BALART of Florida, Mr. LIN-COLN DIAZ-BALART of Florida, and Mr. LATTI.
H.R. 3613: Mr. MARCHANT, Mr. POE of Texas, Mr. MILLER of Florida, Mr. PRICE of Georgia, Mr. LAMBORN, Mr. POSEY, Mr. AKIN, Mr. KING of Iowa, Mr. GOHMERT, Mr. RYAN of Wis-consin, Mr. PITTS, Mr. HUNTER, Mr. BRADY of Texas, Mr. HERGER, Mr. CARTER, and Mr. JONES.
H.R. 3621: Ms. JACKSON-LEE of Texas, Mr. RYAN of Ohio, Mr. JONES, Mr. BOUCHER, Mr. PASCRELL, and Mr. SHERMAN.
H.J. Res. 42: Mr. YOUNG of Alaska, Mr. BONNER, and Mr. LOBIONDO.

H. Con. Res. 74: Mr. GALLEGLY.
H. Con. Res. 177: Mr. KING of New York, Mr. MCNERNEY, and Mrs. MYRICK.
H. Con. Res. 181: Mr. UPTON and Mr. MCCOTTER.
H. Con. Res. 185: Mr. WITTMAN and Mr. PAULSEN.
H. Res. 216: Mr. MCCOTTER.
H. Res. 408: Mr. MCKEON, Mr. NYE, Ms. ED-WARDS of Maryland, Mr. FARR, Mr. MICHAUD, Mr. DONNELLY of Indiana, Ms. CASTOR of Florida, Mr. ETHERIDGE, Ms. DEGETTE, Mrs. CAPPS, Mr. THOMPSON of California, and Mr. HINCHEY.
H. Res. 554: Mr. QUIGLEY, Mr. GOODLATTE, Mr. DENT, Mrs. MILLER of Michigan, Mr. PETRI, Mr. ISSA, Ms. GRANGER, Ms. ROS-LEHTINEN, Mr. MCCOTTER, Mr. BILIRAKIS, Mr. CRENSHAW, and Mrs. BIGGERT.
H. Res. 568: Mr. MCGOVERN and Mr. BER-MAN.
H. Res. 605: Mr. QUIGLEY.
H. Res. 660: Mr. MILLER of North Carolina.
H. Res. 689: Mr. SCHOCK.
H. Res. 704: Mrs. MCCARTHY of New York and Ms. NORTON.
H. Res. 711: Ms. BALDWIN and Mr. MORAN of Virginia.
H. Res. 715: Mr. HINCHEY, Mr. KANJORSKI, Mr. PASCRELL, Mr. KUCINICH, and Mr. QUIGLEY.
H. Res. 721: Mr. YOUNG of Alaska, Mr. MCCOTTER, Mr. FLEMING, and Mr. LAMBORN.
H. Res. 725: Mr. SESTAK.
H. Res. 727: Mrs. MALONEY, Mr. RYAN of Ohio, Mr. SESSIONS, Mr. TIERNEY, and Mr. MARSHALL.
H. Res. 730: Mr. OBEY, Mr. HARE, Ms. BEAN, and Mr. CONYERS.
H. Res. 733: Mr. LINDER.
H. Res. 736: Mr. ROGERS of Kentucky and Mr. SCHOCK.
H. Res. 740: Ms. PINGREE of Maine, Mr. ELLSWORTH, Mr. SCHAUER, and Mr. COURTNEY.
H. Res. 741: Mr. TONKO and Mr. POLIS.
H. Res. 748: Mrs. BLACKBURN.
H. Res. 754: Mr. ELLSWORTH, Mr. BISHOP of Utah, and Mr. PETERS.
H. Res. 756: Mr. WOLF, Mr. YOUNG of Flor-ida, and Mrs. NAPOLITANO.
H. Res. 757: Ms. MOORE of Wisconsin, Ms. WASSERMAN SCHULTZ, and Mr. SMITH of Washington.
H. Res. 763: Mr. BURTON of Indiana, Mr. MILLER of Florida, Mr. PITTS, Mr. HUNTER, and Mr. RYAN of Wisconsin.